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INDIAN SOCIAL CUSTOMS AS NOTICED BY FOREIGN WRITERS UP TO 750 A.D.

THESIS SUBMITTED FOR PH.D. DEGREE

NOVEMBER 1976

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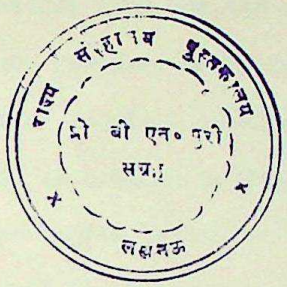

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P R E F A C E

A study of the life of ancient India particularly of the period which covers mainly from the 4th century B.C. to the middle of the eighth century A.D. requires meticulous attention and careful research on the basis of original sources. The present work entitled 'Indian Social Customs as noticed by foreign writers upto 750 A.D.' is an attempt made by the humble author to throw light on the prevalnt social customs witnessed by the classical and the Chinese authors. All their observations do not in all cases appear to be correct when compared with the prescriptions laid down in Indian texts ; nevertheless their remarks contain certain valuable information regarding social customs prevalent in ancient India.

The period of my research work witnessed many of the basic features of Indian society including religion, literature aesthetics, philosophy, ideals of art and statecraft to flower and crystallise. (The aspect of religion and literature has however not taken up for discussion for obvious reasons). For this reason an analytical study of the foreign accounts in the light of knowledge derived from Indian sources has been attempted in order to gain a clear view of the Indian society in its most formative and fruitful period.

For arriving at satisfactory conclusions, the foreign accounts about India are not chosen as merely petrified bodies of observations without any contact with the antecendents and future possibilities. In this disser-

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tation the accounts of the foreigners have been as far as possible analysed and understood in terms of Indian lores and legends of earlier and contemporary age. Although all possible and relevant sources have been tapped in order to obtain an accurate picture of the ancient social set up yet it may be said here that the materials on which a sound and detailed appraisal of ancient social life depends are quite scanty and scattered.

I have endeavoured to explore most of the relevant Indian sources primarily in order to find out the truths of foreigner's observations as to the nature of Indian social customs. In my opinion this type of work would be very useful in the field of further research work to be undertaken by enterprising workers in future.

The subject-matter of my thesis has been divided into eight chapters : (1) Introduction, (2) Caste, (3) Marriage and Other Rites, (4) Dress and Costume, (5) Food and Drink, (6) Administration (7) Law and Justice, (8) Appendix - Custom of Satī.

Megasthenes divides the whole population of India into seven castes contrary to the Indian conception of the Cāturvarna system. He could not probably distinguish between the castes and occupations and hence this confusion arose in his mind. His presentation of seven castes do not tally with the Cāturvarna system yet it must be admitted that from his descriptions we get a glimpse of various types of occupation which the people used to persue during the contemporary age. Besides this,

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Megasthenes also confuses between the two types of Brāhmaṇas some of whom in fact appears as Brahmana ascetics living in the forest reitreats and the others who were seen as counseller to the king.

As regards dress and costume the classical and the Chinese writers have indicated in their accounts that the dress and costume worn by the ancient Indian people were of a simple and unassuming nature. The manner of wearing the dresses and costumes by the people was not much removed from the present day practice. Similarly from the analysis of the food and drink habits followed by the people of the earlier days we get an idea of the habits of those days and after careful study we may conclude that those habits were not altogether different from the present days.

Administration was the pivot of ancient social movement and this becomes clear from the study of the accounts left to us by the classical and Chinese writers. The administration was primarily based on an efficient espionage system as it is evident from accounts of the classical writers. Megasthenes however indicates that people generally recruited as spies belonged to the sixth caste.

About law and justice, the Chinese pilgrim Hieun Tsang informs us about ordeals whereas the classical accounts are silent about it. The number of ordeals stated by the Chinese pilgrim does not tally with the number of ordeals prescribed in Indian literature.

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The last Chapter has been inserted in the present thesis as an appendix since it relates to the custom of Satī noticed by some of the classical writers like Strabo, Aristobulus and Diodorus Siculus. But curiously enough Megasthenes does not appear to have referred to the custom because the custom might not have gained any popularity during his time.

The writer wishes to acknowledge his deep sense of gratitude to Professor Kalyan Kumar Ganguly, M.A., Ph.D., Bāgiśvarī Professor of Indian Art and Head of the Department of Ancient Indian History & Culture, University of Calcutta without whose guidance this thesis would not have been prepared. It has been a matter of pride, privilege and pleasure for the writer to sit at the feet of such an eminent scholar-teacher who untiringly guided the writer in arriving at fruitful conclusions recorded in the work.

Saiken Ch. Banerji.

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CHAPTER - I

INTRODUCTION

History as a study of mere political events and state-craft can hardly do justice to civilisations of the past. Inadequacy of merely a political history confined to the accounts of kings and ruling dynasties is mot clearly shown by the history of ancient Indian civilisation. For a total and comprehensive understanding of the socio-cultural perspectives of Indian society of the past we can not ignore the relevant data supplied by indigenous Indian texts and literary compositions. But a total reliance on indigenous sources of information may easily develop into a traditional, uncritical and stereotyped presentation devoid of any truly significant and evaluative quality.

India, with its unique geographical and topographical position formed a centre for transference of asiatic heritage of culture, crafts and commerce to the west or more precisely the Mediterenean lands. From remote antiquity India attracted the men of communities of the classical world developed and sustained by the culture of Greece and Rome. The classical accounts relating to India contain many valuable information as to the social customs, religious rites, social classes and political and administrative practices prevalent in the country. The value of the foreigner's accounts may well be enormous if judged from the standpoint of historical analysis and

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historiographical outlook. Foreigner's accounts are more or less free from tradition-bound outlook and analysis of indigenous source materials. It might be that foreigner's accounts was not in all cases free from partial and biased outlook which is more natural in the case of a man participating in the campaign of an invading army or following its wake. Ignorance of the local language, accounts based on heresay also constitute some of the hurdles on the path of discovering the truth. Inspite of all these weaknesses study of foreign accounts, comparing those with materials native to ancient India, may help us to form a balanced view of ancient Indian society. Besides the accounts of the classical or more precisely Greeko-Roman authors the accounts left by the Chinese pilgrims also require a similar evaluation. In this case also we must be alert about the statements made by devout Buddhist pilgrims which are interspersed with overstatements regarding the followers of the Buddhist religion and more sectarian and biased presentation of sections of society not following the parth of the Buddha.

In addition to the necessary references to India and its culture before the Eastern Campaign of Alexander the present work mainly starts from the fourth century B.C. and continues till the middle of the eighth century A.D. It should be noted here that all the basic features of Indian society including the religion, literature aesthetics, philosophy, ideals of art and statecrafts flowered and crystallised during these very eventful centuries. For this reason an analytical study of the foreign accounts in the light of knowledge derived from Indian sources would help us to form a clear view of the Indian society in its best and most productive period. For arriving at plausible

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conclusions, the foreign accounts about India are not taken up here as petrified bodies of observations without any contact with past antecedents and future possibilities. In this dissertation the accounts of foreigners have been as far as possible analysed and understood in terms of Indian lores and legends of earlier and contemporary age. This is not unnatural because social institutions and legal customs do not develop overnight. The group of men we meet in Ṛgvedic lore, in Saṃhitās, Upaniṣads and Brāhmaṇas were instrumental in developing the religious rites and social castes and customs, carried over to the later ages.

Apart from the early Brāhmaṇical lore, the Epic accounts of Indian society potentially contain materials of significant nature for analysing and understanding classical accounts. What is true of Brāhmaṇical literature in their relation to the classical and Chinese accounts is more meaningful in respect of Buddhist-legends, Jātaka stories and related literary material which do not precede the classical authors by a considerable gap of time. The third most important source of information was purely literary compositions like Buddha-carita of Aśvaghoṣa, Śūdraka's Mṛcchakaṭika, Vishahkhadatta's Mudrā Rākṣasa Bhāsa's dramas. Kālidā's marvellous dramas such as Kumāra Sambhava, Abigñāna Śākuntalam and Bāṇa's Harṣa-carita, Kādambari etc. Kauṭilya's Arthaśāstra as the relevant source of information from a class by itself as it meticulously lays down a total picture of Indian society in an astoundingly detailed and organised manner. Consequently references to Kauṭilya's Arthaśāstra is present in all the chapters of the present dissertation. Vātsyāna's Kāmasūtra and Yaśodhārā's commentary on it also offers us much information about mundane social life of the ancient

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period. The bulk of later Indian literature as embodied in Smṛti-granthas and purāṇas are partially colaterial with the period with which we are concerned here. But much of the literary sources of this class had acquired their crystallised form only at a later date. In this dissertation Smṛtis and Purāṇas of the second class have been given a place because much of social information contained therein are but data relevant to an earlier age.

For the sake of convenience the subject matter of this dissertation has been divided into several chapters which are naturally connected with each other. It is well known that the caste system is the frame work which upholds the edifice of Indian social hierarchy through the ages. For this basic reason the chapter on castes and caste system is used here as a portal through which we can enter into the discussion about Indian society. In this chapter an attempt has been made to identify the castes as mentioned by classocial and Chinese authors and as understood in ancient India. On more than one occasion castes were understood or misunderstood by foreigners. Here we may mention about indentification of spies and overseers as a separate caste by Megasthenes. In cases like this an attempt has been made to make a stratigraphic analysis of castes as social classes. The question of functional nobility in relation to castes has also been dealt with.

Apart from incidental references to the system, a great deal appears to hve been said by the classical writers about castes. Megasthenes divides the whole population into seven classes namely (1) Philosophers, (2) husbandmen, (3) neatherds and shepherds,

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(4) artisans, (5) Military-men, (6) Overseers, (7) Councillors and assessors. The philosophers class whom Magasthenes appears to have placed in the first order and then divides the Philosophers into two groups known as the Brāhmaṇas and the Śramaṇas. A great deal has been said about the Brāhmaṇas and the Śramaṇas not only by Megasthenes, Siculus, Arrian and Strabo but also by some other unnamed classical writers. Both the Buddhists and the Jains appear to have been included in the group called the Śramaṇa.[1] An attempt has been made to indicate in the chapter on caste that the Brāhmaṇas were not all recluses or devoted to religious pursuits. Some of them took active part in politics and were great fighters.[2] It seems that Megasthenes might have confused between the Brāhmaṇas, who were not reculses and the ascetics who by renouncing the world adopted the fourth stage of life. The uprightness which the ascetics used to cultivate has been well expressed through the observations of Onesicritus who went to see them on the request of Alexander. The conversation that was held between one - Sicritus and Calanus appears to have been representative of the bold nature of the class of asceties. Reference has also been made to religious practices[3] and to the Indian conception of soul.[4]

Society as a whole is expressive of a collective unity or entity composed of social groupings into castes. But these groupings are dependent on units of much smaller dimentions known as the family.

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1 Ch. XIII, 187, 237, 264-4, 173H, 298ff. Cf. Majumdar, the Classical Accounts of India, p. xx.

2 1, 81, 2781.

3 280 cf. Majumdar, The Classical Accounts of India, p. xx.

4 450 cf. Ibid. p. xx.

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So the importance of family unit as the basic component of the total social fabric could hardly be ignored. As a result, an understanding of castes would logically be followed by a discussion on the mode and method of establishing families on the basis of time honoured rites, usages and customs as expressed through marriage. In the present dissertation different facts of marriage in ancient Indian society has been discussed fully with an additional note on the ancient custom of Satī in a separate appendix at the end.

Of the marriage system, Megasthenes says, that there was polygamous prevalent in the society, and that brides were purchased from their parents for a price, usually a pair of oxen. At Takṣaśila, Aristobulus[5] informs, a man unable to get his daughter married on account of poverty would sell her in the market place. Nearchus[6] states that among certain Indian people a girl was put as the prize of victory in a boxing match, the victor obtained her without paying a price. The description of marriage forms referred to by Megasthenes, Aristobulus and Nearchus may have resemblances with different forms of marriage such as Brāhma, Prājāpatya, Ārṣa, Daiva, Gāndharva, Āsura, Rākṣasa and Paiśāca prevalent in ancient India. Nearchus's observation further indicates the prevalence of the Kṣatriya institution of Svayaṁvara or self-choice. Megasthene's remark that the women of the Pāṇḍaian realm bear children at the age of six and those seven years old are held as of marriageable age. All these information throw significant light on the fact that in India the system of giving in marriage a teen aged girl

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5 Aristob. Frag. 34 = Strabo XV, C. 714.

6 Nearch. Frag. 7 = Strabo XV, C. 716.

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i.e. nagnikā was in vogue. The custom by which a virtuous wife was burnt with her husband on the funeral pyre has been referred to by the Greeks. Onesicritus[7] refers to the custom as specially followed by the Kṣatriyas. Aristobulus[8] was told that the widow sometimes followed her husband to the pyre of her own desire. HieunTsang,[9] a Chinese pilgrim, who, it seems has referred to the marriage rites prevalent in India in a symbolical manner.

The account of social life would seem pointless if we fail to note and mention the food and dress habits of the members of a given society of the past. To avoid such kind of a pitfall, attempt has here been made to draw up an account regarding the food, drink and custom of the people of ancient India. This has been done with adequate reference to natural environment of the country as noticed by the authorities taken note in these pages.

As regards food and drink both the classical and Chinese writers tend to thrown much light in their writing dietory seems to have attracted much of their attention. Megasthenes holds that the Indians did not drink wine except on religious ceremonies, but rice-beer was generally drunk. Whether drinking of wine was tabooed by the injunctions of the Dhamaśāstras or was allowed has been discussed exhaustively by him who refer to the prescriptions of India texts. What types of food Indians used to take has been dealt with in this chapter in the light of the observations made by the classical and Chinese writers. It was noticed that food of the Indians' includes also meat. Whether meat was

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7 Strabo XV, C.700.

8 Aristol. Frag. 34 = Strabo XV, C.714.

9 Watters, On YungChwang, travels in India, Vol.II, p. 37

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regularly taken by the Indians has been considered and in this respect reference has been made to ancient prescriptions regarding the eating of flesh.

The manner of serving food and also taking of it, the rituals observed by the Indians before serving food either to by the house-holder or to the guests have been discussed in this chapter in the light of I-tsing's observations. The utensils whether made of earthenware or of brass which the Indian householders were seen to have used for preparing food have also been considered in the light of the observations of the Chinese pilgrim who observes that the "Indians use utensils made of earthenware, few being made of brass."[10] That the Indians used fingers while taking food appears to have been observed by HieunTsang.[11] Whether he has correctly observed the state of things has been discussed in the light of the prescriptions stated in the Indian texts.

The dress and ornaments worn by the Indians in general have been discussed in this chapter in the light of the observations made by the classical and the Chinese writers. An interesting point on which Hieun Tsang[12] has given particular stress was that the dresses which the Indians used were not stitched or tailored. Whether stitched garments was used by the Indians has been discussed by examining all the relevant authorities. The manner of wearing inner clothing and outward covering as observed by the classical and the Chinese writers have been

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10 Watters, On Yuan Chwang's travels in India, Vol. I, p. 178.

11 Ibid., Vol. I, p. 178.

12 Ibid., Vol. I, p. 148.

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noticed and a discussion has been made on the light of Indian prescriptions related to this aspect.

The style of hair dressing as depicted by Nearchus and HieunTsang has been judged from the Indian point of view whether such style followed by the general people or by people belonging to particular religious belief. The materials from which the dresses were usually prepared have been referred to by the Chinese pilgrim HieunTsang. I have tried to show by refering to all the relevant authorities that the materials noticed by him had been abundantly available in this country from which the Indian dresses are usually prepared.

A given society and its affairs are usually run according to rules of statecraft and administration. Administration as it remains squarely dependant on an organised distribution of political power permeating the life of society with the help of hierarchical set-up generally known as administration with definite political ends in view. The functioning of administration rests on some widely accepted social norms backed by the power of the state. The crystallised versions of these social norms naturally develop into a body of rules with legal significance. One of the best aspects of classical accounts relate to administration and dispensation justice as many of the classical authors like Megasthenes, Arrian, Ptolemy and others were basically men connected with political and military aspects of the ancient world. This fact was appropriately seconded by the works of Kautilya with its political, administrative and Judicial overtones. The ancient Dandanīti of India as contained in the works of Śukra and injunctions of the epics

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are also valuable in this regard. The administration through which the king usually govern has been elaborately stated by Megasthenes. The system of administration broadly includes central municipal and military, each of which had a separate unit. Empire was divided into number of provinces ruled by Governors and Viceroys who are sometimes recruited from the princes of the royal blood. The King was assisted by a council. Megasthenes (who) while describing the caste system includes in it councillors and assessors as one of the seventh caste. The later Greek writers like Diodorus, Strabo and Arrian appear to have repeated the same thing. The Councillors and Assessors who advised the king in the management of public affairs were small in number but very influential. They used to choose Governors, Chief of provinces, Deputy Governors, treasurers of the state, Generals of the army, Navy and Judges meant for settling disputes. But they were actually spies whose importance in the administration are by far significant.

Megasthenes also describes the municipal administration (by) carried out but Boards. Whether such administrative units actually existed has been examined by going into the details of relevant Indian texts. Megasthenes and HieunTsang have clearly referred to the military organisation of ancient India. But the observations of Megasthenes do not however tally with HieunTsang's since the former divides the military system into six divisions while the later divides it into four. What was the actual state of things has been thoroughly discussed in the light of Indian texts. The Greek Ambassador probably refers to those men who seem to have been hired to work as drummers, mechanists and grass cutters for facilitating the movement of the main army and thinks them to be part and parcel of the regular army. They were probably

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engaged as and when required. Whether the facts stated by Megasthenes
7. was consistent with Indian traditions has been examined by taking into accounts the relevant information available in Indian texts. As regards the equipment of soldiers observed by Nearchus and HieunTsang, I have endeavoured to find out the truth in their statement by examining relevant Indian sources.

In the field of law and justice, Megasthenes informs, that the most important role was played by oral tradition and memory in preference to written documents while stating this, the author makes a most astounding statement that the Indians did not know the art of writing.[13] This statement of Megasthenes appears to be completely baseless since in another place Megasthenes himself states that Philosophers recorded useful matters in writing.[14] Similarly Strabo also states that the Indians were ignorant of writing, but narrates that Nearchus states that the Indians wrote letters on cloth.[15] HieunTsang[16] also holds the identical view like Strabo and Nearchus. That the Smrtis played a significant role in deciding cases appears to have been referred to by Megasthenes. Whether his observation has been corroborated by the Indian texts has also been dealt in this chapter in detail. I have further tried to find out the truth of Megasthenes[17] observation about the honesty and veractiy of the Indians by going into the detail in the relevant texts to show that the Greek writer's statdment is true.

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13 Megasth, Frags. 26, 27 = Arr. Ind. 10 ; Strabo XV, C.

14 Mc Crindle, Fragments India, p. 83.

15 Strabo XV. 1. 53-54.

16 Watters, On Yuan Chwang's travels in India, Vol. I, p. 152.

17 Megasth. Frag. 35 = Arr. Ind. 12, 5.

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Megasthenes'[18] comment that a man convicted of giving false witness suffered mutiliation. Whether this sort of punishment was inflicted at all on a person accused of giving false witness has been corroborated from the pages of relevant indigenous sources. But Fa-hien[19] when he visited India during the period of the Guptas does not appear to have recorded this sort of punishment. What sort of punishment was then inflicted on the accused of committing such an offence. This has also been found out from the pages of the Indian texts. HieunTsang[20] refers to (the) four kinds of ordeals by means of which a person whether innocent or culprit could be detected. The classical writers do not appear to have referred to the four kinds of ordeals. I have tried to find out whether only four types of ordeals were resorted to in detecting the acused persons as enumerated by the Chinese pilgrim or there were more than four ordeals prescribed in Indian literature. The procedure prescribed by HieunTsang for undergoing different kinds of ordeals does not in all cases tally with the procedure prescribed in the Dharmaśāstras. But that ordeals were resorted to for detecting culprits was in vogue seems to be certain. An attempt has been made to show by quoting references from relevant texts that during the time when the Greek writers had visited India, there was possibly no law prescribed for deciding the criminal cases and the system of vaira was in use. The ordeals had probably originated at a much later date and that is why the Greek writers did not notice the same.

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18 Megasth. Fragm. XXVII. D.

19 Legge, The Travels of Fa-hien, p. 43.

20 Watters, On Yuan Chwang's travels in India, Vol. I, p. 172.

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The main point of weakness of the laws of the State was that they only affected and concerned the outward activities of men in relation to their connection with the state power. But much of the rules and usages that govern the life of man as a member of a family or of a society are determined by religious practices and beliefs occasionally ennobled by a philosophical outlook. In the present dissertation this important aspect of human life and behaviour is not ignored. Instead, this basic aspect has always been kept in mind and noted at necessary points in all different chapters from the beginning to the end. This point has been given emphatic stress because of the fact that much of the so-called information of the ancient Indian tradition are directly derived from Dhamasāstras of Manu, Yājñavalka Smṛtỳ and Medhātithi Brāhmaṇas and Upaniṣads, the Nirukta and the Śrauta Sūtras like Āpastamba, Āśvalāyana, Baudhāyana Kātyāyana and the Dhamasūtras of Āpastamba, Gautama, Baudhāyana, Vasiṣṭha and the Gṛhyasūtras of Pāraskara, Baudhāyana, etc. Actually it has been observed that it is very difficult to draw a line of distinction between the purely socio-political and purely religious sources of information in the Indian literary traditions.

The nature and control of foreign accounts relating to ancient India was deeply influenced and coloured by the men who were responsible for the accumulation of information in this regard. Here it should not be deemed out of place if we go into a short summary of the foreign historians, military leaders, statesmen etc. who built up a body of description about India more commonly known as the 'classical accounts'. It would be apparent that reference to India in the ancient period consisted of information accumulated in various ways. In most cases, it may be pointed out that the information recorded by the

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classical writers regarding India, based on secondary sources. Records of this nature based on traveller's accounts sometimes contain much valuable information mixed however with fantastic legends and myths. Merely Geographical interest and possibilities of economic exploration concerned other accounts related to India. The bulk of the main body of information known as 'classical accounts' was built up out of the writings and observations left men connected with Alexander's invasion. Eye-witness accounts and information gathered at the first hand constitute an important aspect of this class of accounts relating to India. The political set up of the Hellenistic period after the death of Alexander created an atmosphere of mutual cultural exchange between the countries bordering Eastern Medeterranean and west Asia with the Indian sub-continent. In these environments were born the accounts of India as noted by two classes of the authorities namely Statesmen and (the) Geographers. Amongst the Statesmen personalities like Megasthenes accumulated knowledge of India during his stay in the country as an ambassador. It is not difficult to surmise that the market places and marts of Alexandria, Antioch, Ctesiphon and at a later date even Rome vibrated with lively talks about India and Indian products. In this peculiar atmosphere, compilers of Geographical accounts and general histories were also active and Ptolemy Strabo, the elder pliny etc. fall within this category. Their information was based on all the available accounts of their predecessors and contemporaries.

At this stage an attempt could be made to present a general outline of the nature and content of the classical accounts relating to India. It is necessary to clearly understand the extent to which we are

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concerned for noting down classical accounts for a reconstruction of the social atmosphere in which life in ancient India flourished.

The first Greek account about India was perhaps written in the latter part of the sixth century B.C. by Scylax of Caryanda, a Greek sea-captain whom King Darius (522-486 B.C.) deputed to explore the courses of the Indus.[21] The book seems to have been laid before Aristotle two centuries later, who quotes a statement that among the Indians the Kings were held to be of a superior race to their subjects.[22] Scylax probably did not tell much of his own experiences while descending along the Indus or we could have heard of his book in connection with the voyage of Alexander. He probably preferred to astonish his countrymen with traveller's tales - stories of people who used their enormous feet as sunshades (Skiapodes), of people who wrapped themselves up by their own ears (Entokoitoi) of people with one eye and so on, with which the tradition about India thus started with the Greeks and which they retained for long.[23] These stories correspond with the statements in many of their books on India and Scylax may very well had really heard them from Indians and had believed them in simple faith. Hecataeus of Miletus had probably already written his Geographical work, the 'Periodos Ges' before 500 B.C. His knowledge stopped on the frontier of the Persian empire, the river Indus. The name of the people Gandhari on the upper Indus had reached him when Scylax had started on his expedition down the river, Hecataeus wrote it as Kaspapyros. The fabulus story about the Skiapodes also appeared in Hecataeus as in Scylax, though Hecatacus by some confusion connected them with African Aethiopians instead of with India.

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21 Herodotus IV. 44. 22 Polit. VII. 14.

23 Philostratus, Vit. Ap oce. III, 47.

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A good deal of what Herodotus wrote about India was no doubt from Hecataeus. What Herodotus says appears to be remarkable than what he does not say. The monstrous races about which Scylax and Hecataeus had stated before and which Ctesias and Megasthenes wrote after him made an essential part of the Indian world, Herodotus does not appear to have stated much about India. He however had observed correctly the diversity of its population. 'There be many nations of Indians' so he says, diverse one from the other in tongue. Some of them are roving tribes, some of them are settled, and some dwell in the swamps of the rivers and live on raw fish which they catch from boats made of reed.[24] Herodotus[25] knew also that the population of India was very vast. "The Indians are by far the greatest multitude of all the peoples of men whom we know he says." But the Indians who came within the sphere of his knowledge would be the more or less barbarous tribes living near the Persian frontiers. What he tells us, therefore, of their manners and customs does not apply to people living within the inner domains of India.

Ctesias of Cnidus, a generation later than Herodotus had the opportunities of collecting informations about India since he stayed at the Persian court as a Physician to Artaxerxes Mnemon[26] for seventeen years. But his account about India does not appear to have contained much truth since he was drawing as it would appear, from nothing but his imagination. However, Ctesias described the people as 'very just'. We may see the reflection of a common Greek belief that a people of ideal

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24 III, 98 25 III, 94

26 Diod, II, 32, 4 ; Plut. Artax. 21.

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goodness lived somewhere at the extremities of the earth or in this case the impression was made upon strangers by a social system so rigidly moral and ethical in its and the working of this system by traditional law.

Of the companions of Alexander, three men chiefly enriched the Greek conception of India by their writings. One was Nearchus, a Cretan whose home was in Macedonia, where he had been a friend of Alexander in his youth. He was the man who was placed by Alexander in command of the fleet which explored the coast between the Indus and the Persian Gulf. Nearchus later on gave his own account of this expedition to the world. His book also contained good deal of information about India.

Another man was Onesicritus who hailed from the Greek island of Aegina, who regarded the Cynic philosopher Diogenes as his master, a man with some practical knowledge of sea-craft since Alexander made him pilot of the royal vessel down to Indus. Onesicritus is said to have participated in the expedition of Nearchus and he, too, afterwards wrote a book about it, and about India in which he tries to give us his impressions about the Indian sophist named Calanus whom he met on being sent by Alexander.

The third was Aristobulus a Greek, probably from Chaleidic peninsula, who not only accompanied Alexander through India, but was entrusted with certain commissions, perhaps not military ones.[27]

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27 Strabo XV, C. 693 ; Arr. VI, 29, 10.

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Aristobulus wrote his book when he was fairly old in age. His book has thrown sufficient light on the nature of Indian Sophist, whom he met at Taxila and gives us further a vivid picture about the characteristics[28] of the Indian Sophists. Strabo further quoting Aristobulus[29] provides interesting information about the ancient marriage system prevalent in India and refers to the custom of Sati prevalent here.

Another writer, a contemporary but not a companion of Alexander, Clitarchus of Colophon, also had written a popular account of India. Clitarchus wrote a history of Alexander drawing largely on imagination. Although Clitarchus in his main outlines had to keep to the facts, given by so many eye witnesses supposed to be still alive, the romance as distinghished from the history of Alexander takes its start from his writings. In the Indian part of history, he introduced a delightful story of how the Macedonian army had mistaken a troop of monkeys for a hostile army.[30] The books written by the companions of Alexander were supposed to have been supplemented in the third century by the books in which the European ambassadors sent by the Hellenistic kings to India told what they heard and saw. It appears very odd that with such oppertunities none of the ambassadors seems to have produced anything worthy of mention except Megasthenes. Had Daimachus or Dionysius given any fresh information of interest, we would not have failed to trace some of it in later writers? The book written by Megasthenes was full of interesting accounts which the Greek world ever

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28 Strabo 61 Cf. Majumdar, The Classical Accounts of India, p. 275.

29 Strabo 62 Cf. Ibid., p. 276.

30 Ael. Nat. Anim. XVII, 25.

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had. Only one other name may be mentioned in this connection, the name of Patrocles who held command in the Eastern Provinces of Iran under Selecus I and Antiochus I. Patrocles had, however, access to official sources and what he said in his book appears to be creditable. Megasthene's accounts however includes all aspects i.e., the human, the vegetable and the animal world. Among the animals of India, the elephants, the monkeys and the snakes drew much of the attention of the Greeks. Megasthenes[31] gave an account of the methods by which the wild animals were captured. 'It is a very great thing to possess an elephant chariot'. The most interesting part of Megasthene's statement seems to be related to contemporary India, with particular reference to Pāṭaliputra, the Mauryan capital. His description of seven classes into which the whole people of India was divided appears to be well-known. Megasthenes may have got his number seven from some Indian informant that the people was divided into functional caste which did not intermarry and then he had prepared his list of various occupations as they appeared to him. The confusion which he makes between Brāhmaṇas and ascetics by using both the Greek terms philosophioi or sophistoi, 'wise men' and his separation of the Brāhmaṇas into different castes according to their professions which might be priestly or administrative or political. This classification makes it difficult to suppose that he was reproducing what an Indian reported to him. But these seven classes although they did not comply with what Indian texts prescribe yet it truely represents the various activities which Megasthenes could see going on round him in the third century B.C. Ptolemy who was a military commander under Alexander wrote a book entitled 'Treatise on Geography' which forms the sequel of his famous work on Astronomy. The chapters of Ptolemy's

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31 Megasth. Frag. 38 = Arr. Ind. 13.

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Geography relating to India, supply a long list of places many of which are otherwise unknown and indicate their location. Ptolemy's book does not appear to have thrown any light on the social condition of India.

Arrian a Greek historian and Philosopher was born about 96 A.D. and died about 180 A.D. The most important book of Arrian is his Anabasis of Alexander which describes the life of Alexander from his accession to his death. Arrian himself appears to have said that he derived his information from the writings of Aristobulus of Cassandreia and Ptolemy son of Lagus who later became king of Egypt.

The other important work is his 'Indica' written in the Ionian dialect. The 'Indica' of Arrian gives varied picture of Indian society. He[32], like Megasthenes, divides the Indian population into seven classes. Arrian[33] further reports one very important aspect of Indian marriage system that the Indian girls were married at the age of seven. In addition to age, he[34] in his 'Indica' further states that 'they marry without either giving or taking dowries, but the women, as soon as they are marriageable are brought forward by their fathers and exposed in public, to be selected by the victor in wrestling or boxing or running or by some one who excels in any other manly exercise'.

Kallisthenes was one of the men of learning who accompanied Alexander in his Asiatic expedition. C. Muller who is well known as the Editor of the Geographi 'Graeci Minores' and other classical texts published in 1846 along with 'Anabasis' and the 'Indica' of Arrian had

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32 Arr. XI-XII Cf. Majumdar, The Classical Accounts of India, p. 226.

33 23, 9.

34 Arr. XVII Cf. Majumdar, The Classical Accounts of India, p. 231.

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also published a Romantic History of Alexander the Great under the title Pseudo Kallisthenes. In the third of the three books Alexander has been represented to have entered India by overcoming the reluctance of his army. He was opposed by Porus whom he slew in a single combat. He then proceeded to Oxydrakai where he lived with the Gymnosophists with whose doctrines and practices he had a great desire to be acquainted. An account is given of his interview with these pious ascetics who instructed Alexander to their philosophy.

In the midst of the report of the conversations held between Alexander and the Brāhmaṇas, a small treatise about the Nations of the Brachmans has been inserted which does not belong to the History of Alexander but to the Lausiac Histories of Palladius who wrote about 420 A.D.

Strabo the Greek Geographer and historian was born about 63 B.C. at Amasia in Portus, a Hellenized city. He flourished about two centuries after Eratosthenes. His Geography has been regarded as 'the most important on that science which antiquity has left to us'. The book is divided into seventeen books of which fifteenth deals with India and Persia. Strabo in his Geography has thrown much light on the Indian caste system.

He, like Megasthenes, divides the whole population of India into seven classes. He also informs us about the dresses worn by the Indians particularly by the 'city Prāmnai'.[35] He also enlightens us

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35 Strabo 71, Cf. Majumdar, Classical Accounts of India, p. 281.

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about the custom of Satī which was prevalent in India.[36] No other classical writer has referred to us about the custom except Diodorus.[37]

Pliny (A.D. 23-79) the elder was a Roman scholar and the author of Natural History which consists of thirtyseven books. About a century after Pliny flourished Arrian and Ptolemy who were contemporaries and both belong to the second century A.D. Pliny in his book deals with many aspects of India like the position, boundaries, physical characteristics and the races of India. He refers to us about the caste system but does not appear to have divided the Indian Society into seven classes as had been done by like Megasthenes. His description though not in order, yet reflects certain occupational class through which caste system had evolved.

Clemens Alexandrinus was a native of Athens and was probably born in A.D. 150. As he spent the greater part of his life in Alexandria, the capital of Egypt, he was surnamed Alexandrinus. His notice of the Brachmans or Brāhmaṇas seems to have contained in his work which he called stromateis. He probably lived till 220 A.D.

Amongst the principal Chinese authorities Fa-hien between 399 and 414 A.D. visited India. From his record we get a clear picture of social condition prevalent in mid-India under the Guptas and the administration of justice as well. Fa-hien[38] records that 'the king governs without decapitation or other corporal punishments, criminals are simply fined, lightly or heavily according to the circumstances. Even in

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38 Legge, The Travels of Fa-hien, (1886), p. 43.

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circumstances of repeated attempts at wicked rebellion they only have their 'right hands cut off'. This may have contrasted with the state of things depicted by Megasthenes[39] seven hundred years earlier than Fa-hien 'a person bearing false witness suffers mutiliation of his extremities. He who maims any one not only suffers loss of the same limb but his hand also is cut off. If he causes an artisan to lose his hand and eye he is put to death'.

HieunTsang's accounts undoubtedly throws much light on the social condition of India. As regards food and drink, Dress and Costume HieunTsang's insight gives us a vivid picture particularly with regard to the dress worn by the people in general and as well as by the people belonging to Buddhist religion. In his book we find the description about how the Indian army were constituted and how they took up positions in the battle field. Most notable thing is this that HieunTsang seems to be the only Chinese pilgrims who refers to us the method of detecting innocence or culprits by means of four kinds of ordeals.

I-tsing one of the three great Chinese travellers in India was born in 635 A.D. He reached India in 671 A.D. and went back the same way in 682 after a ten years stay at Nālanda University. In his description, besides many other things we find mention of certain customs that were required to be followed by the Indians before and after taking food.[40]

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39 Fragment XXVII.

40 J. Takakusu. A Record of the Buddhist Religion by I-tsing, Chapter IX, p. 35-40.

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The fundamental theme that has been conditioning the outlook of the present writer as regards the classical and Chinese accounts about ancient India is primarily concerned with the discovery and presentation of social aspects of the ancient Indian civilisation. This basic viewpoint acts as an constant and all-pervading element and forms the core or subject matter of the present thesis. Statements relating to the historical accounts accompanied by necessary analytical studies are organised here, as far as possible, in inter-related but independent chapters leading to a gradual development of this thesis reaching into a body of fruitful observations.

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CHAPTER - II

C A S T E S Y S T E M

The foreigners who visited India from the fourth century B.C. down to the seventh century A.D. in particular witnessed the existence of different castes though the social divisions noticed by them, do not usually correspond to the Cāturvarṇa system[1] as described in Indian literature. Indian literary sources point to four varṇas such as Brāhmaṇa, Kṣatriya, Vaiśya and Śūdra.[2] Megasthenes was one amongst the first group of foreigners who wrote about the caste system although what he says about it is different from the four fold classification. However, his insight in the complex problem can be guessed from his presentation of the picture of Indian caste divisions prevailing in India during his time.

Megasthenes hold that India had seven castes out of which he placed the Philosophers[3] in the first position. Diodorus[4] and Strabo[5] like Megasthenes mention seven castes and followed the latter's order. Arrian gives the same order and places the sophists in the first place instead of the 'Philosophers'. He says that the sophists[6] were the highest and most honoured of the seven castes into which Indian society was divided.

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1 Monier William, A Sanskrit-English Dictionary, p. 385.

2 Kane, History of Dharmaśāstra, Vol. II ; p. 51.

3 Megasthenes Fragm. 40.

4 Diod. 40-41 Cf. Majumdar, Classical Accounts of India, p. 236-238.

5 Megasthenes Fragm. XLI = Starbo XV. 1. 58-60, pp. 721-724.

6 Cap. XI.

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The first class of Megasthenes consisted of the Philosophers. It derived its source from those who lived in the forest and worshipped Dionysus(Śiva) and the others resided in the plains and adored Herackles (Krsna). These two categories of people constituted the philosophers of Megasthenes to which he attributed the names Brachmanes and Sarmanes.[7]

Elder Pliny[8] also refers to the existence of seven castes though he does not appear to have stated it in orderly manner like Megasthenes and other classical writers. He says that 'some till the soil, some are soldiers, some traders, the noblest and richest take part in the direction of state affairs, administer justice, and sit in council with the kings. A fifth class devotes itself to the philosophy prevalent in the country, which in most cases assumes the form of a religion, and the members always put an end to their life by courting a voluntary death on a burning funeral pile. In addition to these there had been another, a half wild group of people constantly engaged in a task of immense labours beyond the words to describe - that of hunting and taming elephants. They employ these animals in ploughing and for riding(on) and regard them as forming the main part of their stock in cattle. They employ them in war and in fighting for their country. Plinny's order of castes does not tally with the order of castes enumerated by Megasthenes. His comments that 'Some till the soil' no doubt corroborates with the third caste viz. Vaiśyas of Indian literature and whom Megasthenes appears to have classed in the third order as the cultivators.

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7 Fragm. 40, Strabo XV, C. 711 f.

8 Book II 22, Cf. Majumdar, Classical Accounts of India,, p. 342.

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The next order according to Plinny consisted of those who 'are soldiers'. They could be the Kṣatriyas of Indian texts and might have been warriors, i.e., the fifth caste of Megasthenes. 'Some traders' of Pliny's division of caste probably indicates the third caste i.e., the Vaiśya whom Megasthenes places in the fourth order of his seven castes. The next order of Plinny's description probably indicates those who are Brāhmaṇas and who used to take part in the administration with the Kings. The Roman scholar probably has not been able to distinguish between the Brāhmaṇas who acted as a Councillors and the ascetics who renounced the World. The other class i.e., the fifth class of Pliny consisted of those who devoted themselved to the Philosophy. Pliny's fifth class may however, be identified with the ascetics of Indian literature. In addition to these classes Pliny seems to have confused between the Śūdra and the Vaiśya classes of Indian texts.

The Philosophers of Megasthenes were small in number but were held in the highest honour and prestige. They were exempted from payment of taxes, provided their prophecies as to the rains, droughts and other natural catatrophes proved correct. It is clear from this observation that the exemption from the payment of taxes depended on the correctness of their prophecies. If the forecast of any one of them proved incorrect, he was required to keep silent for the rest of his life. He was not allowed to speak under any circumstances. In addition to making predictions, they were required to perform sacrifice and direct the mode of sacrifice to be performed by private individuals.[9]

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9 Megasth. Frags. 35 and 36 = Arr. Ind. 11 f. ; Starbo XV, C. 703 V.

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The manner in which they practised penance could best be illustrated by the fact that these wise men used to expose themselves in winter to the cold and in summer to the sun and sometimes they used to live in the fields and swamps and under enormous trees. Megasthenes possibly noticed the ascetics who normally used to spend their days undergoing severe physical penance.

Curtius,[10] another classical writer, mentions also the philosophers who had no similarity with the Philosophers of Megasthenes ; he however, gives us additional information about this class. He says that they used to dwell in forests and mostly used to keep long beard and hair. They had a peculiar idea about death and arranged death of themselves when they perceived that age and disease were to make them inactive. Death to them was a matter of glory. The more painful the manner of death, the greater the merit and admiration they achieved. They regarded fire as polluted if the pyre received dead bodies. The practice was nothing but self-immolation. The idea of sacrificing one's own life by entering fire had developed as they realised that life became a burden due to old age and disease.

Megasthenes might have confused the Brahmana with the recluses belonging to different sects as prevalent in India. The wise men as described by Megasthenes were such recluses who were small in number and who had mastered the art of curing disease by incantations.

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10 R.C. Majumdar, Classical Accounts of India, p. 105.

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Megasthenes[11] divides the Philosophers into two classes, viz., the Brachmanes and the Garmanes who are evidently the Brāhmaṇas and the Śramaṇas respectively mentioned in the inscription of Aśoka. The Brāhmaṇas of Megasthenes had the greatest prestige in the society since they followed a highly prestigeous way of life. From the time of conception a woman of the family of Brāhmaṇas was visited by men of learning who used to sing charms in order to ensure happy birth of the child. On the children attaining a particular age, they were sent to the teachers' house to be properly trained under the guidance of a set of teachers. The standard of teaching and of the teachers had to be of a higher order as the children grew older. The teachers used to teach the boys according to their own system. These Brāhmaṇa philosophers lived in a grove outside the city and used to lie upon pallets of straw and on skins under the cover of an enclosure practising celebacy and abstinence from animal food. They did not want more than their needs for mere sustenance. The Brāhmaṇa Philosophers were expected to listen to grave discourses and to admit only such others as could take part in the discussions. While listening to the discourses, they were forbidden to speak or even to clear their throats or to spit. If any one of them violated the discipline, he was temporarily expelled from the assemblage for the day. When each Brāhmaṇa lived in this fashion for thirty seven years, he was allowed to leave and to return to his family and live in the midst of freedom and luxury. The Brāhmaṇa was then permitted to wear muslin dresses and some ornaments of gold on his hands and ears and was even allowed to eat the meat of wild animals. He was however, required to refrain from taking rich food. While in household life, these

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11 Megasthenes, Frag. 59.

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Brāhmaṇas could take as many wives as they liked for having a good number of children. For a large number of children were necessary for doing household scores in an age when slaves were rare.

Wives were not allowed to share Philosophical knowledge. Kauṭilya in his Arthaśāstra[12] refers to this fact. The Brāhmaṇas assigned various reasons for this and said that if the wives were wanton by nature, they might divulge the mysteries of Philosophy to the profane. Even if they were good, they might lose interest in earthly life and desert their husbands for attaining spiritual ends.

The chief topic, round which the Brāhmaṇas discourses centered was death. Those who cultivated philosophy looked upon the present life as transient and death to them was a path for achieving a real and happy life. For this reason they observed rigorous discipline in order to make themselves ready for death. They maintained that nothing which happened to a man was good or bad as in that case the same things would not cause sorrow to some and joy to others.

The teaching of the Brānmana Philosophers was in parts simple. The theocratic proofs on which they based their teaching were mostly fables. On many points, however, the system of imparting education by the Brāhmaṇas coincided with those of the Greeks.[13] These Brāhmaṇa philosophers used to teach the impermanence of the world and

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12 19.

13 Hastings' Encyclopaedia of Religion and Ethics, Vol. 7, p. 415.

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its ultimate destruction since to them all things prevailing in the universe were perishable. They said that the shape of the universe was spherical. Its creator governed and pervaded it. Megasthenes' idea of governing the universe by one supreme Being who also pervades the universe is found in a hymn of the RgVeda.[14] They also asserted that the Puruṣa had been pervading the universe and yet remaining beyond it. All objects of the universe, animate and inanimate, men and gods, are conceived here as parts of that Puruṣa. In the Upaniṣads this unity of all existence is found developed into the conception of one impersonal Reality (Sat) or the conception of one soul, one Brahman. Megasthenes, while explaining the notions of the Brāhmaṇa philosophers about the composition of the universe observes that the Brāhmaṇa philosophers say that the first thing was water from which the universe had its origin. The Brāhmaṇas and the Upaniṣads also hold the idea that the universe in the beginning was nothing but water[15] and this was to which Megasthenes has referred. During the Vedic period, however, the notion of the thinkers was that the world did consist of three parts, viz. earth, air and sky or heaven ; but there is no reference to water.

Among the Greeks similar views were held by the Ionic philosophers like Thales[16] and Anaximender[17] who asserted that water was the prime element to which the universe had its origin. Most of the

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14 X. 90.

15 Hastings' Encyclopaedia of Religion and Ethics, Vol. 4 p. 126.

16 Zeller, Outlines of the History of Greek Philosophy, p. 27.

17 Ibid., p. 29 (1883).

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Indian thinkers held that the universe is composed of five elements (pañcabhūta) viz., ether (ākāśa), air (vāyu), fire (agni), water (ap) and earth (kṣiti).[18]

The observations of Megasthenes about the philosophy of the Brahmanas are consistent with what has been stated in Indian philosophy. It may be probable that Megasthenes has sought to trace the influence of Greek Philosophy on Brāhmanical thought while depicting the life of a Brāhmaṇa.

The nature of habitation of the Brāhmaṇas as given by Megasthenes appears to be the same as held by the description found in the Indian literature for the forest hermit representing the third of the four stages of life. The said hermits in the forests used to observe a strict code of life.[19] The Indian texts say that those who accept vānaprastha are required to stay under a tree and subsist on fruits and roots collected from the forest. They should sleep on bare ground at night. Megasthenes however says that a Brāhmaṇa should sleep on a bed made of leaves and skins.[20] The ascetics of Indian literature had to renounce their home and to dwell outside the villages. They would stay under a tree or in an un-inhabited house where they would be at sunset. They used to wander from place to place, but remained in one place only during the rainy season.[21] The text further enlightens us about the fact that the Brāhmaṇas used elevated ground Sthandila for their sleep.[22]

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18 Chatterji and Datta, An Introduction to Indian Philosophy, p. 61.
19 Kane, History of Dharmaśāstra, Vol. II, p. 918.
20 Fragm. XLI. Strab. XV. 1. 58-60, pp. 711-14.
21 Kane, History of Dharmaśāstra, Vol. II, p. 932.
22 Ibid., p. 937.

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The description of residence for the forest hermits and for the ascetics as noticed in Indian literature bear out the ways of the Vānaprastha and Sannyāsa aśramas. It is thus possible that the foreign travellers failed to make any distinction between the two classes i.e. between the forest-hermit and the ascetic.

The items of food consumed by the Brāhmaṇas have not been mentioned by Megasthenes. He only refers to the restriction of taking flesh food by the Brāhmaṇas during their studenthood and says that they may have it after completing studenthood.[23] The observations regarding the restriction of taking meat by the Brāhmaṇas may be said to be similar with what has been suggested in the Indian literature. They, according to Manu[24] and Gautama Dharmaśāstra,[25] are required to subsist on flowers fruits, roots and vegetables growing in forests on land or in water. Manu,[26] Āpastamba[27] and Ādiparva of the Mahābhārata[28] prescribe that the ascetics are however required to subsist on begging. The dress of the Brāhmaṇas as observed by Megasthenes is strikingly similar to what has been stated in the Indian literature. Megasthenes as has been already referred to, tells us about the dress of the Brāhmaṇas, who after completing studenthood for thirtyseven years used to wear muslin dress and decent ornaments.[29] But this description probably held good for a Brāhmaṇa when he returns to his family and becomes out and out a family man but the dress of an ascetic of whom Megasthenes intends to say does

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23 Frag. XLI. Strabo. XV. 1.58-60, pp. 711-14.

24 VI. 5 and 13.

25 26, 28.

26 VI. 38 and 43.

27 I. 9.21.10 28 91-12.

29 Fragm. XLI. Strabo XVI. 58-60, pp. 711-14.

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not bear any resemblance with the dress of an ascetic. The Vāyu Purāṇa[30] states that an ascetic should have a loin cloth to cover his private parts and Kanthā (patched garment or wallet) for protection specially against cold and he may have two Pāduka5s (Sandals). Gautama-Dharmasūtra[31] states that an ascetic may wear such garments as were worn by others while Āpastamba-Dharmasūtra[32] prescribes that he should wear clothes thrown away by others and some say that he might go naked. Vasiṣṭha-dharmasūtra[33] says that he should cover his body with a piece of cloth (Sāṭī) or with deer skin or with grass cut down for cows. Baudhāyana-dharmasūtra[34] requires that his garment should be ochre coloured.[35]

Megasthenes who visited India during the fourth century B.C. as an ambassador does not refer to the third stage of life of the Brāhmaṇas but describes mainly the parapharnelia that are required to be observed by them during their studenthood.

The age of thirty seven years which might have appeared to Megasthenes to be the time when the studenthood of the Brāhmaṇas ended, does not seem to be prescribed in any Indian literature. Certain Indian texts mention twelve or twentyfour years as the period for learning the

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30 I. VIII. 31 III. 17-18. 32 II.9.21. 11-12.

33 X. 9-11.

34 II. 6.24.

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Vedas and sometimes speak even of fortyeight years in the same context. According to the Chāndogya Upaniṣad[35] Śvetaketu Āruṇaya who is said to have become a brahmacārī at the age of twelve mastered all the Vedas at twentyfour. The same duration is also suggested elsewhere in the same text.[36] But a longer period of brahmacarya was not unknown to the sages of the Upaniṣads. In the Taittirīya Brāhmaṇa,[37] Bharadvāja is stated to have studied the Vedas for three parts of his life (i.e. for about seventyfive years). The Gopātha Brāhmaṇa[38] gives the period of studenthood for learning all the Vedas as fortyeight years. If we divide the above period in four equal portions as the Vedas are four in number, then the studenthood lasts for twelve years for mastering one of the Vedas. The above is the shortest period for brahmacarya. It seems that one could devote as much time in mastering the Vedas as was necessary for an individual. In the Taittirīya Brāhmaṇa, sometimes exceptionally long durations are suggested though they appear to be exaggerated. Even a longer period of brahmacarya is also not unknown to the sages of the Upaniṣads. The Chāndogya[39] declares that Indra remained a student with Prajapati for 101 years.

Celibacy practised by the Brahmanas for thirty seven years mentioned by Megasthenes does not tally exactly with the age specified by any of the classical or Chinese writers. As regards the said period

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35 VI. 1.2. 36 IV. 10.1.
37 III. 10.11. 38 II. 5.
39 VIII.11.3.

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of thirty seven years it may be that Megasthenes heard of a Brāhmaṇa who went to his guru at the age of twelve (i.e. sometimes after his Upanayana) and returned home after twentyfive years' study i.e. after the age of thirty seven years. According to Indian literature, the Upanayana ceremony of a Brāhmaṇa is to take place at the age of eight from his conception of birth,[40] and the Brāhmaṇa was usually sent to the teachers' house after the ceremony. It may be that the parents sometime sent their sons to the teacher not immediately after Upanayana owing to their tender age. The observations of Megasthenes as to the age of completing the study of the Vedas are similar with the prescriptions laid down in Indian literature if we think that Megasthenes had included the pre-Upanayana period.

It also appears that there was no fixed period of completing studenthood apparently because the period must have varied according to the capability of an individual.

Megasthenes refers to the other philosophers as 'Sarmanes' which is synonymous with the Śramaṇa and seems to have been applied to the Buddhist monks.[41] Pāli Samaṇa (Skr. Śramaṇa) means one who leads a spiritual life[42] or performs acts of mortification.[43] Extensive use of the word by the Buddhists may lead one to think that it means only

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40 Kane, History of Dharmaśāstra, Vol. II, p. 417

41 Studies in Buddhism, ed. Max Muller and Others, p. 16.

42 S. Datta, Buddhist Monks and Monasteries of India, p. 48.

43 P.T.S. Pali English Dictionary, p. 141.

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the Buddhist monks and not the ascetics of other orders. But the use of the word along with the expression tāpasa has been found in the Bṛahadāraṇyaka Upaniṣad[44] although the meaning of the two expressions is not clear from the text since both the words Śramaṇa and Tāpasa carry the same meaning i.e. mendicant.[45]

According to Śaṅkara's commentary, the expression Śramaṇa was used in the Upaniṣad to indicate a Parivrāt or wandering ascetic while Tāpasa indicated a Vānaprasthin, i.e. a hermit living in the forest retreat. The Nirukta[46] also uses the term (parivrā) in the sense of wandering mendicant. It seems that while the hermit lived in one place situated outside the village in the adjoining forests, the wandering ascetic was without any social bond and moved from place to place. In the Pāli texts, the expression Parivrājaka represents the state of 'going out of home into homelessness'.[47] Rhys Davids[48] took them to be teachers who used to spend eight or nine months of every year,[49] in wandering with the object of engaging themselves in the discussions relating to the matter of ethics and philosophy. The story of Buddha's life refers to the conversion of many leaders of thought to his faith by the wandering monks while Jainism borrowed largely from the Achelakas and Ājīvikas as shown by Jacobi[50] and Hoernle.[51] In the Saddharama

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44 IV. 3.22.

45 Momier Williams, A Sanskrit English Dictionary, p. 437 ; Macdonell and Keith, Vedic Index, Vol. II, p. 401.

46 1. 14 ; 11.8.

47 Dighe- 1.60. 48 Buddhist India, p. 141 - 160.

49 Cf. Bühler, Gautama, 111.13.

50 Jaina Sūtras.

51 Uvāsagadāsao, pp. 108-111.

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Puṇḍarika[52] the Carakas have been equated with the Parivrājakas and classed as a heretic along with the Ājīvikas and the Nirgranthas. In the Pāli texts, Carakas have been replaced by Parivrājakas.[53] In the Assalāyana-sutta[54] it is stated that Assalāyana, a learned and intelligent student was specially selected to meet Goutama Buddha as he had spent a portion of his life as Paribrājaka. It seems that the way of life persued by a Paribrājaka was held as a means of acquiring knowledge in order to enable one to hold discussions with Goutama the Buddha.

When engaged in Paribbājakamma[55] i.e. moving from one place to another, the people of villages and towns used to supply the Paribrājakas with Kutuhalasālās[56] when they used to congregate along with teachers and Philosophers for religious and philosophical discussions. These wandering mendicants, although they had finished their education under certain teacher or in a certain institution, were required to travel from place to place in order to seek for a proficient teacher who could guide them to acquire further knowledge. They were supposed to live on alms collected by begging.[57]

There were two classes of religious mendicants, the Tāpasas and Parivrājakas existing during the time when Megasthenes visited India. Those staying in the hermitage belonged to the Tāpasa class, and the

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52 Sad. Pund. (A.S.), p. 180.
53 N. Dutta, Early Monastic Buddhism, p. 71.
54 Majjhima, II, p. 148.
55 Dīgha, I, p. 178 ; Majjhima, II, p. 1.
56 Dīgha, I, p. 179 ; Majjhima, II, p. 2.
57 N. Dutta, Early Monastic Buddhism, p. 73.

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Parivrājakas moved from place to place either alone or with company of their disciples. The queen mother of Darsaka belonged to the hermit (tāpasa) class and Yaugandharāyaṇa when he was in disguise, he seems to have belonged to a class of Parivrājaka.

It appears that these mendicants donned red garments. The institution of the red garment of such mendicants however does not appear to have been taken from Buddhism but had been of Brāhmaṇical origin. The fact that Pāṇini (7th century B.C.) mentions Bhikṣu-sūtras indicates that the order probably existed long earlier. Hieun-Tsang,[59] the Chinese traveller of the 7th century A.D. also refers to the age of thirty years as the age of practising celibacy. It seems also that like Megasthenes, HieunTsang includes the pre-Upanayana period to the period of celibacy.

It may be probable that Megasthenes while enumerating different categories of ascetics using the expression Sarmanes, probably intends to refer to those persons in the first position who used to dwell in the forests,[60] i.e. forest hermits since the description conforms to the prescription laid down in Indian literature for the Vānaprasthas corresponding to the third stage of the religious life of the Brāhmaṇa.[61] Megasthenes further informs us that those forest hermits were highly respected by the people obviously for the reason that

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58 Rhys Davids, Buddhist India, pp. 140-41.

59 Samuel Beal, Buddhist Records of the Western World, Vol.II, p. 136.

60 Megasth. Frag. 40 = Strabo XV, C. 711 f.

61 Kane, History of Dharmaśāstra, Vol.II, p. 918.

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they are required to observe strict code of life.[62] He further informs us about their habitation and taking of food by them and these descriptions closely agree with the descriptions given earlier by Megasthenes about Brāhmaṇa philosophers, since both the Brāhmaṇas and the forest hermits are required to subsist on fruits and roots collected from the forests. These forest hermits according to Megasthenes were required to wear cloths made of the bark of the trees.[63] Clemenes Alexandrinus[64] also observes like Megasthenes that the Brāhmaṇas used to wear bark of trees and lived neither in cities nor in houses.[65] Hierokles holds that they wore dresses of the soft and skin like fibres of stones which they used to weave into a stuff. Fire could not burn nor did water clean it. When dirty, they used to throw the clothes into a blazing fire. It would come out of this fire as good as new garment.[66] The description regarding the dress of the Brāhmaṇa philosophers supplied by the accounts of unknown authorship does not however tally with the records of other Greek writers since according to him the Brāhmaṇas were required to move naked for they had the belief that god had provided people woth body to cover the soul.[67] As regards Megasthenes' observations about the dress of the forest hermits those are found to tally with the descriptions given in Indian literature. Manu,[68] the Dharmasūtra of Gautama[69] and Vasiṣtha Dharmasūtra[70] prescribe that a forest hermit should wear a deer skin or a tatterend garment i.e.,

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62 Op. cit., p. 918.

63 Fragm. XLI. Strabo XV. 1.58-60, pp. 711

64 Stromateis. III. 194.

65 Ibid.

66 R.C. Majumdar, Classical Accounts of India, p. 441.

67 Ibid., p. 443.

68 VI. 6. 69 III.34. 70 IX.11.

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one of bark or Kusa grass. Clemens Alexandrinus also uses the expression Sarmanai like Megasthenes probably to indicate forest hermits who lived in forests and were called Hylobioi.[71] The description of the dress of the forest hermits given by Clemens Alexandrinus however has similarity with the description given by Megasthenes.[72] Hierokles's description about the Brāhmaṇa's dress has similarity with the description provided by Megasthenes and Clemens Alexandrinus for the Vānaprasthas. But the mode of cleaning the garment referred to by him has not been mentioned by Megasthenes. Indian literature does not provide any information about the mode of cleaning the garment.

The Greaco-Roman sources probably do not refer to the forest hermits but indicated those persons who were ascetics i.e. the Brāhmaṇas of the fourth āśrama. Indian literature however suggest that the Sannyasa may wear dresses or be naked.[73]

The forest hermits according to Megasthenes could predict so well that even the kings approached them to know about the future and sought assistance from them about their sacrifices. The Greek ambassador does not however specify the age of becoming Vānaprastha just as Megasthenes gave us the thirty seven years of age as the age upto which a Brāhmaṇa should practise celibacy. Indian texts however prescribe various conditions under which a Brāhmaṇa may accept the third āśrama i.e.

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71 R.C. Majumdar, Classical Accounts of India, p. 440

72 Stromateis III. 194 ; Megas. Fragm. 60.

73 Kane, History of Dharmaśāstra, Vol. II, p. 936.

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Vānaprastha. The time for becoming a forest hermit was determined in two ways. According to Jābālopaniṣad[74] a man may become a Vānaprastha immediately after the period of studenthood or after passing some years as a householder. Indian texts further suggest that any person of the three higher varṇas could become a Vānaprastha but a śūdra could not do so.[75] Manu uses the word dvija[76] which means twice born as an epithet of the Brāhmaṇa in particular. In the Śāntiparva[77] of the Mahābhārata it has been stated that a Kṣatriya after transfering his kingdom to his son should enter a forest and subsist on wild food and follow the śrāvaṇa scriptures. In the Aśvamedhikaparva[78] it has also been stated that the order of Vānaprasthas was meant for the three dvijātis. The Ādiparva of the Mahābhārata cites many examples of royal personages becoming vānaprasthas. The Ādiparva contains the story of Yayāti who after crowningghis youngest and most dutiful son Pūru as the King become a forest hermit,[79] and practised various austeritics[80] and ultimately ended his life by fasting.[81] In the Āśramavāsi,parva[82] the blind king Dhṛtarāṣṭra was stated to have become a forest hermit with his wife Gāndhārī who put on bark garments and deer skin. The Parāśara Mādhavīya[83] relying on Manu,[84] yama and other sages states the view that men of the three varṇas could become forest hermits. The Mausala parva[85] of the

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74 4. Cf. Kane, History of Dharmaśāstra, Vol. II, Part I, p. 421.

75 Kane, History of Dharmaśāstra, Vol. II,p. 923.

76 Macdonell and Keith, Vedic Index, Vol.I, p. 386.

77 21.15. 78 35-43. 79 86.1.

80 86.12-17. 81 75.58 82 Chapter - 19.

83 I. Part 2, p. 139.

84 VI. 2. 85 7.74.

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Mahābhārata states that when Kṛṣṇa had died Satyabhāma and other queens of Kṛṣṇa entered the forest having resolved to undergo severe austerities. The Ādiparva[86] further narrates that on the death of Pāṇḍu Satyavatī with her two daughters-in-law repaired to a forest for austerities and died there. According to Vaikhānasa Smārta Sūtra[87] and Vāmanapurāṇa,[88] a brāhmaṇa could pass through all four āśramas, a kṣatriya through three (he could not be a sannyāsin), a vaiśya through two (brahmacarya and gārhasthya) and a śūdra could resort to only one viz. the householder's mode of life. Manu[89] Viṣṇu dharmasūtra[90] Yājñvalkya smṛti[91] and Nārada[92] suggest that if a person of lower varṇa maintains himself through greed by the avocation peculiar to a higher varṇa, the king should confiscate his wealth and should at once banish him from the country. A classical example of the keenness with which good kings were expected to prevent persons of lower varṇas doing the actions allowed only to higher varṇas is furnished by the story of Śambūka as narrated in the Rāmāyaṇa.[93] The story of Śambūka's death at the hand of Rāma runs thus : It so happened that an only son of a Brāhmaṇa faced a premature death. The Brāhmaṇa blamed Rāma for the

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86 128. 12-12.

87 VIII. 1.

88 14. 117-118.

89 XI. 192-193.

90 54. 27-28.

91 111.35.

92 ṛṇadāna 59-60.

93 VII. 73-76.

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untimely death of his son on the ground that Rāma had become impious and tyrannical. Rāma heard the heart rending cry of the Brāhmaṇa and asked Nārada about the reason of the death of the Brāhmaṇa's only son. Nārada thus explained that during Satyyuga only the Brāhmaṇas were entitled to become an ascetics and could repeat the Vedic mantras and no other varṇas had such right. Gradually Kṣatriyas acquired the right of meditation along with the Brāhmaṇas in Tetrāyuga when men became more and more conscious. Although the kṣatriyas acquired the right of meditation yet the Brāhmaṇas were supposed to be superior to the kṣatriyas in the art of meditation and thus the Caturvarṇa was established. Since then it was considered that one fourth i.e. first pāda of the total sin committed in the four yugas had been enhanced. It was due to this reason, Nārada added, men lost their longevity and vigour. A yuga means an age of the world, long mundane period of years of which there are four viz. Kṛta or Satya, Tretā, Dvāpara and Kali of which first three have elapsed while Kali had started at midnight between the 17th and 18th Feb. 3102 B.C. The duration of each yuga is said to be respectively 47,28,000, 1,296,000, 8,64,000 and 4,32,000 years of men, the descending numbers representing similar physical and moral deterioration of men in each age.[95]

People then began to give alms to the poors and were inclined to sacrifices, in order to increase the span of life. Kṣatriyas along with the Brāhmaṇas had the right to meditate and seba or service

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94 Rāmāyaṇa, translated by Sisir Kumar Ganguly, (1st edition), Sarga-74, p. 954.

95 Momier Williams, A Sanskrit English Dictionary, p. 854.

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became the profession of men of other castes. Vaiśyas and Śūdras were ordained to observe their respective professions as the most virtuous acts. Śūdras in particular began to serve the people of other varṇas. Nārada added that the Brāhmaṇas and the Kṣatriyas would be more weakened when the impious activities would be increased amongst the Vaiśyas and the Śūdras. When the Dvāpara Yuga would begin[96] half of the total sin of the four yugas would commence on the earth. The right of becoming an ascetic and of reciting Vedic mantras would extend and in the Dvāparyuga the Vaiśyas would be entitled to become ascetics. But the Śūdras would not be allowed this privilege. They would not acquire such right even in Kaliyuga. Nārada also explained that even in the Dvāparayuga meditation by Śūdras would be unwelcome. He thus asserted that a Śūdra certainly had been meditating at the outskirts of the kingdom and that is the reason why such a pre-mature death has taken place in the kingdom. Rāma hearing Nārada's assertion went out to find out the person and after a long search, found a man who had been meditating on the bank of the river. Rāma asked him to disclose his varṇa. Sambuka disclosed that he was a Śūdra by caste. Rāma hearing the reply forthwith drew his sword and severed the head of Sambuka. The only son of a brāhmaṇa, who died, regained his life.[97]

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96 The Rāmāyaṇa, translated by Sisir Kumar Ganguly (161 edition), p. 954.

97 The Rāmāyaṇa translated by Sisir Kumar Ganguly (1st edition), p. 754.

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Next in honour to the forest dwellers i.e. Hylobu, Megasthenes refers to those philosophers who were physicians who according to him used to dwell not in the open air but probably under a tree and subsisted on rice and barley groats collected by begging. They were supposed to know the act of making the marriages fruitful by and could cause the people to have numerous offsprings. These medical Philosophers used to cure diseases by regulating diet-than by the use of medicines among which, the most well known were ointments and plasters.[98]

The description which Megasthenes presents about the medical philosophers probably bears information about the life of ascetics i.e. the Brāhmaṇas of the fourth aśrama since the nature of habitation and taking of the particular food by them agreed with the mode of living usually prescribed for a sannyāsi.

The Manu Smṛiti[99], the Vasiṣtha-Dharmasūtra[100] and the Śaṅkha[101] prescribe that an ascetic should dwell outside the villages, should be homeless and stay under a tree or in an uninhabited house. He should always wander from place to place but may also remain in one place during the rainy season.[102] Manu[103] Āpastamba-Dharmasūtra[104] and

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98 Megasthenes Fragm. 60.

99 VI. 41, 43-44.

100 X. 12-15.

101 VII. 6.

102 Kane, History of Dharmaśāstra, Vol.II, p. 932.

103 VI. 38 and 43.

104 I. 9.21.10.

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the Ādiparva[105] of the Mahābhārata further suggest that an ascetic should neither kindle śrauta fires nor gṛhya fire nor even ordinary fire for cooking food and should subsist on food obtained by begging.[106] Megasthenes further informs us that these physicians practised endurance both in toils and in perseverance by standing in one posture without moving for the whole day.[107] It may be probable that Megasthenes must have witnessed a Sannyāsi who according to Indian literature should endeavour to purify his mind by Prāṇāyana and other practices of yoga and thereby enable himself gradually to realise the Absolute and final release.[108]

Megasthene's account about the physician philosophers who could make marriages fruitful through sorcery and could cause the people to have either male or female children may be justified since exceptional powers could have been acquired by ascetic practices. HieunTsang (also) has also mentioned about the five vidyās which were taught to the boys of seven years and upwards. He enumerates those five vidyās and places in the third order the medicinal treatise (Chikitsāvidyā) which included secret charms, the use of medicinal stones etc.[109] The Atharvaveda[110] affords many such instances. The magical charms and even witch craft are considered to have been closely associated with early Indian religion. It has penetrated and became intimately blended with the holiest Vedic

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105 91.12.

106 Kane, History of Dharmaśāstra, Vol. II, p. 934.

107 Megasthenes Fragm. 60.

108 Kane, History of Dharmaśāstra, Vol.II, p. 938.

109 S. Beal, Travels of HieunTsang, Vol.II, p. 136.

110 II. 19-23, V. 22 V. 13. III. 21.

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rites. Many remarkable cures were attributed to such mendicants but they used to make a mystery of their knowledge and jealously guarded their therapeutic secrets from the common herd. Sometimes extraordinary cures came to be associated with particular ailments.[111] They usually acquired these exceptional powers by means of practising severe austeritics and also due to the close association of the Gurus with whom they had been in long touch.[112] Aristobulus uses the expression 'Sophists' in order to convey to us some idea about Megasthene's observations about philosophers. Aristobulus does not however enumerate the castes of India like Megasthenes but says that while he was at Taxila, he noticed two of the Sophists out of whom, he goes on to say, the elder had his head shaved and the younger had long hair and both were followed by disciples.[113] Arrian also uses the same expression while describing the caste systems of India.[114] As has been mentioned earlier Strabo, like Arrian, places the Sophists in the first position when he describes the caste system of India.[115] Aristobulus further says that those Sophists used to spend their time in the market place and were respected by the people as Counsellers. They used to take as gift any article exposed for sale whenever these Sophists approached a man, he would pour sesame oil over them so that it ran down even from their eyes. They prepared cakes for themselves from the honey and sesame brought to the market for sale out were given to them free of cost. Aristobulus further adds that these Sophists came upto Alexander's table and ate dinner standing and exhibited their endurance by retiring to a place nearby where the elder

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111 J.C. Oman, The Mystics, Ascetics and Saints of India, p. 66.

112 Ibid., p. 64.

113 R.C. Majumdar, Classical Accounts of India, p. 274.

114 Arrian XI.

115 XV. C. 719.

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fell to the ground on his back and endured the sun's rays and the rains. The younger Sophist stood on one leg holding a loft in both hands a log about three cubits in length when his leg became tired, he changed the support to the other and kept this posture for all day long. Aristobulu's comments that the younger displayed a far greater mastery over practices of austerity than the elder. The younger Sophist, although he accompanied Alexander upto a short distance, came back but when the king persued him, he forbade him to come. But the elder Sophist accompanied Alexander upto the end. When he was with the king, he changed his dress and mode of life. Aristobulus says that he was rebuked by his associates for this. In reply to the reproach the elder Sophist said that he had completed forty years of discipline which he had promised to observe. These Sophists' were called by Plutarch as Sphines.[116] The Greeks called the elder Sophist as Kalanes[117] since the expression Kalyāṇa used by the Indian Sophists to greet fellow men when they meet each other after long time. This term could not be pronounced by the Greeks and hence they identified the Indian ascetics as Kalanos.

It may be probable that Aristobulus have come across in the younger Sophist an ascetic and in the elder a Brahmacarī. The description of the younger Sophist who had long hair tallies with what has been suggested by the Indian literature for the vānaprastha. Manu[118], the 'Dharmasūtra of Gautama[119] and the Vasiṣṭha-dharmasūtra[120]

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116 Plut. Alex. 65 ; Strabo XV. C.714 f.

117 Arr. vii. 2,4.

118 VI. 6.

119 III. 34.

120 IX.11.

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allowed hair and nails to grow for the forest hermit and the shaved head. The elder Sophist as noticed by Aristobulus has similarity with what has been suggested in Indian literature for a brahmacārin. The Dharmasūtra of Gautama[121] and Manu[122] say that a brahmacārin may either shave his entire head or may allow the hair to grow. Viṣṇu Dhamasūtra[123] also prescribes that a student may either shave the entire head or grow matted hair. It seems that Aristobulus might have noticed them begging in the market place. The two Sophists probably selected the market place where people usually came in large numbers everyday and they would not face any difficulty in begging since it is supposed to be the essential feature both for bramacārin and ascetic. A few words may seem necessary about begging. The Smṛtis prescribe begging as specially appropriate for brahmacārins (Vedic student) and ascetics (Yatis). Begging was not allowed to others.[124] The Śānti parva[125] of the Mahābhārata refers to the story of king Kekaya who boasted that no one who was not a bramacārin would be allowed to beg. According to the Baudhāyana-dharmasūtra[126] begging by one who has finished his course of studenthood was among actions that make a man impure (aśucikara). Vasiṣtha-dharma-sūtra[127] and Parāśara[128] called upon the king to fine that village when persons of the higher classes wander about begging though they were not observers of vows like

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121 1. 26.
122 11. 219.
123 28.41.
124 Kane, History of Dharmaśāstra, Vol.I, p. 133.
125 77. 22.
126 11.1.64.
127 111.4.
128 I.60.

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brahmacārins and were not studying the Veda. The idea that a brahmacārī was required to beg food everyday was so ingrained in ancient times that the Baudhāyana-dharma-sūtra[129] and Manu[130] and also Viṣṇu-dharma-sūtra[131] observed that if for seven days continuously a brahmacārī who was not ill, failed to beg food, he was supposed to have violated his vow and would have to undergo the same penance as was prescribed for a brahmacārin having sexual intercourse.[132]

Asistobulus further refers to us that these Sophists attended to a dinner which was arranged by Alexander. Indian literature however imposes no restriction as to the taking of food by a brahmacārin and an ascetic. Manu[133] and Yājñavalkya[134] allow a brahmacārin to eat food collected from several houses and was not to take food at a single person's house except when he was requested to dinner in honour of Gods or the Manes. He might do so by pertaking of such food at such dinners as would not violate his vows. In the Bṛhadāraṇkya Upaniṣad[135] there has been a reference to brāhmaṇas who on apprehending, correctly the supreme spirit turned away from the desires of progeny, wealth and of securing holy worlds and practised begging. Begging thus became a characteristic of Sannyāsa in the Sūtras. The Muṇḍaka Upaniṣad[136] prescribes begging for those who have the knowledge of brahma. Aristobulus further says that these Sophists subsisted on the cakes prepared from Sesame oil and and honey procured by begging. In Indian literature it has been stated that being a brahmacārī one should not eat honey.[137] It seems that this

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129 1.2.54. 130 11.187. 131 28.52.

132 Kane, History of Dharmaśāstra, Vol. I, p. 311.

133 11. 188-189. 134 1.32.

135 111.5.1. 136 1.2.11.

137 Kane, History of Dharmaśāstra, Vol.I, p. 271.

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restriction was tenable only for the Upanayana period. But after the Upanayana ceremony, brahmacārī when sent to the house of a Guru for studying the Vedas and started leading the life of brahmacarya, he was required to beg for his own subsitance as well as the subsistance of his teacher. It appears that there had been no hard and fast rule, as to the items of food to be consumed by a brahmacārī or an ascetic. Any sort of food collected by begging might be consumed by the ascetic. Aristobulus's observation may be correct in this regard.

The Greek writer while concluding his description about the lives of two Sophists says that the younger Sophist whom we have recognised as a forest-hermit followed Alexander upto a short distance and came back home. When Alexander wanted to persue him, the younger Sophist forbade him to do so. But the elder Sophist whom we have also identified as a brahmacārin followed Alexander till the end of his journey. He changed his dress and mode of life while he was with him. When he came back, he was rebuked by his associates. In reply to the reproach he said that he had completed forty years of discipline which he had promised to do. Alexander afterwards gave him presents for his children.

The younger ascetic probably shunned the company of Alexander when he realised that Alexander not only represented luxury but also pride and insolent which they normally decry. He wanted that if Alexander desired to know anything from him, he should himself come to the brahmacārin.

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The elder Sophist probably belonged to the same type of ascetics whom Onesicritus met them at Taxila on being deputed by Alexander and the meeting between them was also mentioned by Strabo in his account.[138] Aristobulus's observation about the elder Sophist's change to worldly life seems to be in conformity with the prescription contained in Indian literature. When he came back he was no longer the farmer brahmacarin but had adopted a householder's mode of life. Manu[139] suggests that the first part i.e. twenty five years of a man's life may be the life of a brahmacārī during which he was required to learn the Vedas at his teacher's house. After he has finished his study he might enter into the life of householder.[140] Or in other words, a brahmacārin i.e. a student after finishing brahmacarya i.e. his studentship might adopt the life of a householder.[141] The Greek writer further adds that the elder Sophist in reply to the reproach by his associates said that he had completed forty years of discipline. In fact there has been no fixed period for studying the Veda. The period of studenthood may vary from man to man. A Brāhmaṇa usually goes to the teacher's house after upanayana ceremony which had to be performed at the age of eight.[142] Deducting the pre-upanayana period from the total period of forty years of discipline which the elder Sophist was supposed to have performed, the period during which he lived the life of a brahmachārī comes to thirty two years. The same view was expressed by Megesthenes while he has been describing the life of a brāhmaṇa.[143] Aristobulus further informs that Alexander afterwards gave the elder

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138 XV.C.715. 139 IV.1.

140 Kane, History of Dharmaśāstra, Vol.I, p. 417.

141 Op.cit., p. 417.

142 Kane, History of Dharmaśāstra, Vol.I, p. 276.

143 Megasthenes Fragm. 59.

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Sophist presents for his children. The king probably did not come across so elderly an ascetic whom he considered to be married and having children. Being a foreigner he could not make any distinction between a brahmacārin and an ascetic.

Onesicritus while describing in detail the nature of the Sophists says that he was sent to converse with these Sophists by Alexander when he came to learn that these people always remained naked and devoted themselves to endurance. They were also highly respected by the people. They did not visit the house of the people even if they were invited, but Aristobulus's statement does not seem to be identical since the Sophists, as described by him, ate dinner standing, arranged by Alexander.[144] Onesicritus however had been deputed by Alexander and says that had noticed fifteen of them standing in different postures. Some of them had been standing or lying naked and motionless. He was surprised to see them in such state since it was very hard to endure the sun's rays specially during noon when no body could dare to walk with bare foot. Onesicritus further says that he had talked with one of these Sophists named Calanus who afterwards accompanied Alexander upto Persia and died by creating a pyre and entering it ablaze. This part of Onesicritus's observation has not been mentioned by Aristobulus who noticed that the elder Sophist, had accompanied Alexander and changed his dress and mode of life while he was with him. Yet he returned home.[145] It may be probable that the elder Sophist referred

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144 R.C. Majumdar, Classical Accounts of India, p. 275.
McCrindle, Ancient India as described by Classical literature, p.68.

145 Fragm. XLIV = Strabo XV. 1.68, p. 718 and McCrindle, Ancient India as described by Classical Literature, p. 68,
and R.C. Majumdar, Classical Accounts of India, p. 275.

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to by Aristobulus does not seem to be identical with Calanus whom Onesicritus mentions as one who had accompanied Alexander. It may be that the elder Sophist and Calanus might have belonged to the same group of ascetics. But they were not probably identical. Furthermore Onesicritus's observation about the self immolation may be in conformity with what has been suggested in Indian literature. The commentary Mitākṣarā on Yājñvalkya Smṛti[146] refers to a smṛti text which states that a hermit if he falls sick may resort to the distant journey i.e. Mahaprasthana or may enter water or fire or may throw himself from precipice.

Onesicritus further tells us that Calanus, when he was first met by the author had been lying on stones. When he was told that the Yavana king wanted to learn their wisdom, one of them replied that "no one coming in the drapery of European clothes-cavalry cloak and broad brimmed hat and top boots such as the Macedonians wore could learn their wisdom. To attain that wisdom he must strip himself naked and learn to sit on the hot stones beside them. Onesicritus says that while he was hesitating to do so advised by Calanus, Mandanis[147] according to Megasthenes and whom Onesicritus considered to be the oldest and wisest of the Sophists rebuked Calanus as a man of arrogance and politely told Onesicritus that he was glad to learn that although the king kept himself busy with the affairs of government yet he had expressed his desire to learn the philosophy of life. Mandanis said that he would be unable to say anything about his philosophy to the three interpretors who had come to converse with him.

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146 111.55.

147 Megasth. Fragm. XLIV = Strabo. XV. 1.68, - p. 718.

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He however said that the best teaching would be that which liberated the mind from pleasure and grief. The grief however was differed from toil since the former appears to be unimical and the latter friendly due to the fact that men trained themselves for toiling hard in order to increase mental strength whereby there would be no dissessions and everyone would get good advise. He goes on further to say that by entertaining a person of better quality than himself, he would be well treated while by accomodating a person of inferior quality he would improve him to be good.[148]

Onesicritu's conversation with Mandanis echoes the eternal truth of Indian Philosophy. The doctrine which Mandanis refers to us has a close resemblance to the ideas of Nyāya Philosophy.[149] To Mandanis pain seems to be the eternal enemy of mankind since it restrains to the attainment of mukti or liberation for the individual self and toiling according to him gives them moral strength. a Attainment of such moral strength by means of toiling hard leads someone to the possession of 'Knowledge' which helps man to distinghish between bad and good company. Mandanis further says that good or bad company could do no harm to those who acquired such strength of mind. The Greek writer says that after explaining the doctrine Mandanis enquired whether such doctrines were taught among the Greeks. When Onesicritus[150] replied that such doctrines were taught by Pythagoras, Socrates and Diogenes, the wisest Sophist replied that Greeks were generally strong-minded butthey preferred custom to nature. Onesicritus goes on to say that they would not feel ashamed to go naked and to live on frugal fare since they regarded that the best house would be that which required the least repair. It reminds us

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148 Starbo 64 Cf. R.C. Majumdar, Classical Accounts of India, p. 278.

149 Chatterjee & Datta, An Introduction to Indian Philosophy, p. 207.

150 Onesicritus was also an ardent Votary of the cynic school of philosophy founded by Diogenes.

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about the Upanisadic ideal of plain living and high thinking.[151] It may be mentioned here that similar account of the interview has been found in Plutarch's life of Alexander.[152]

Onesircritus goes on describing that they engaged themselves much on natural subjects as forcasting about the future rains, droughts and diseases. While describing the life of philosophers, Megasthenes holds the identical views with Onesicritus since according to the Greek ambassador the Philosophers on the New Year Day made predictions with a view to guiding agriculture.[153] When these Sophists left the place of practising endurance in the evening, they would disperse to different market places. While going there they would take figs or bunches of grapes from the sellers free of cost. If they required oil, the same would be poured over their head. Onesicritus's observation seems to be in unision with Aristobulus.[154] As has been already mentioned, Nearchus divides the Sophists into two classes[155] whereas Megasthenes divides the Philosophers into two divisions.[156] Nearchus holds that the Brachmanes acted as counsellers to the kings and the other class, Nearchus called Sophists instead of Garmanes as referred to by Megasthenes. The Sophists of Nearchus investigated natural phenomenon, same as the Garmanes of Megasthenes. It may be possible that Aristobulus, Onesicritus and Nearchus used the expression 'Sophists'

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151 Kane, History of Dhanaśastra, Vol. II, p. 918.

152 C. 65. 153 Megasthenes, Fragms 35 and 36.

154 R.C. Majumdar, Classical Accounts of India, p. 273 and Ancient India its invasion of Alexander the Great, Mc.Crindle, Appendices, p. 390.

155 Mc.Crindle, Ancient India as described by classical Literature, Book XV. 66, p. 72.

156 Ibid. Book XV. 59, p. 65.

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instead of Garmanes since they were probably acquired with the term Sophist rather than the term Garmanes. Moreover they were under the impression that the features of the Greek Sophists mostly tallied with the characteristics of the Indian Sophists. In the Greek Philosophy the Sophists were considered to be a class of teachers of Philosophy or rhetoric.[157] Megasthenes does not however use the expression Sophist since he might have conjectured that the features of those classes might best be expressed by using the term 'Philosophers'. Nearchus also corroborates the view of Onesicritus and says that Calanus belonged to that group of Sophists who used to enquire about the natural phenomenon. He also observes[158] that the wives were allowed to join their husbands in order to learn the philosophy. Nearchus's observation may be correct although the practice however has been forbidden by Kauṭilya[159] while Manu[160] and Yājñvalkya[161] Smṛti provide that one may go to forest with ones wife or in other words the wife may accompany her husband if she so desires.[162]

Megasthenes does not hold the same view as Nearchus. He observes that the Brāhmaṇas did not allow their wives to have the knowledge of their philosophy.[163]

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157 Webster's New International Dictionary (unabridged), p. 2400.

158 Nearchus Fragm. 7 = Strabo XV. C. 716.

159 2.19 160 VI. 3. 161 111.45.

162 Kane, History of Dharmaśastra, Vol. II, p. 918.

163 Arri. VII. 3.1 Strabo XV.C. 717.

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Megasthenes says that Calanus was a man without self control and regards him to be a slave of Alexander.[164] It seems that the Greek writers could not identify Calanus who was probably a Buddhist ascetic. In Buddhism retirement from the Saṅgha may be permitted at any time after admission to the Saṅgha. Neither the Buddhist Doctrine nor the regulation of the Saṅgha know "eternal" vows or coercion. He who longs for the life and pleasures of the world may confess his weakness to the Elder. The Saṅgha does not restraint him and retirement may lawfully be granted to him without incurring thereby any disgrace.[165]

More details have been preserved of another hermit named Dandamis whose home was the woods, where he lay on a pallet of leaves. It seems that Mandamis and Dandamis were not two different persons. It may be probable that some of the classical writers like Megasthenes[166] and Plutarch[167] had called Mandamis by name and some others like Arrian[168] and Pallad De Bragmanibus[169] and Ambrosius[170] called him as Dandamis.

When Alexander came to learn about the reply which Calanus and Mandamis gave to Onesicritus, he was again sent to fetch them. When he found the great sage he said, "Hail to thee, thou teacher of the Bragmanes. The son of the mighty god Zeus, King Alexander, who is the sovereign lord of all men asks you to go to him and if you comply, he will reward you with splendid gifts, but if you refuse will cut off your head."

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164 Megasthenes, Fragm. XLIV = Starbo. XV. 1.68, p. 718.

165 Monier Williams, Buddhism, p. 85 (1889) and Oldenburg Buddha : His Life, His Doctrine, His Order, p. 336-337.

166 Fragm. XLIV = Starbo XV. 1.68, p. 718.

167 C. 65. 168 Fragm. XLV. Arr. VII. ii. 3-9.

169 R.C. Majumdar, Classical Accounts of India, p. 444.

170 De Moribus Brachmanorum, p. 62.

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Dandamis, with a complacent smile heard him to the end, but did not lift his head up from his couch of leaves replied Onesicritus : "God, the Supreme king is never the author of insolent wrong, but is the creator of light, of peace, of life, of water of the body of man and of souls and these he receives when death set them free, being in no way subject to evil desire." The reply which Dandames gave to Onesicritus reminds us about the affinity that existed between God and light which may be considered to be the main theme of the holiest verse of the Rg.Veda[171] or of the Gāyatrī.[172] Dandamis further says that "He alone is the God of his homage who abhors slaughter and instigates no war. But Alexander is not God since he must taste death, and how can he be the worlds' master who has not reached the shore of the river Tiberoboas even, and has not yet seated himself on a throne of universal dominion ? ..... know this however, that what Alexander offers me, and the gifts he promises, are all thing utterly useless ; but the things I prize, and find of real use and worth, are these leaves which are my house, these blooming plants which supply me with dainty food, and the water which is my drink, while all other possessions and things, which are amased with anxious care, are wont to prove ruinous to those who amass them and cause only sorrow and vexation, which every poor mortal is fully fraught. But as for me, I lie upon the forest leaves, and having nothing which requires guarding, close my eyes in tranquil slumber ; whereas had I gold to guard, that would banish sleep. The earth supplies me with everything, even as a mother her child with milk. I go whereever I please, and there are no cares with which I am forced to cumber myself, against my will. Should Alexander cut off my head he cannot

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171 III. 62.10.

172 Kane, History of Dharmaśastra, Vol. II, p. 302.

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also destory of soul. My head alone, now silent, will remain, but the soul will go away to its Master, leaving the body like a torn garment upon the earth, whence also it was taken. I then, becoming spirit, shall ascend to my god, who enclosed us in flesh, and left us upon the earth to prove whether, when here below, we shall live obeident to his ordinances, and who also will require of us, when we depart hence to his presence, an account of our life, since he is judge of all proud wrong-doing ; for the groans of the oppressed become the punishments of the oppressors.

"Let Alexander, then terrify with these threats those who wish for gold and for wealth, and who dread death, for against us these weapons are both alike powerless since the Bragmanes neither love gold nor fear death. Go, then, and tell Alexander this : "Dandamis has no need of aught that is yours, and therefore will not go to you, but if you want anything from Dandamis Come you to him."

Alexander, on receiving from Onesicritus a report of the interview, felt stronger desire than ever to see Dandamis, who, though old and naked was the only antagonist in whom he, the conquerer of many nations, had found more than his match."[173]

The conversation between Onesicritus and Dandamis has reflected certain aspects of Indian philosophy and religion. Discarding the pleasure of the material world, Dandamis again reiterated the transient

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173 Fragm. L.V. (Camerar, libell. gnomolog. pp. 116, 124) = Fragm LVB. Ambrosius De Moribus Brachmanorum, pp. 62, 68 ed. Polland, London 1668.

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nature of the mundane things and scornfully rejected the offer that came from Alexander. It has also been revealed from his dialogue that Dandamis realised the significance about the soul and God which it appears were still a problem of the Upaniṣads.[174] He was probably giving us an idea about the Reality from which originates all things by which all live and into which all dissolve when destroyed. The name given to this Reality may be called Brahman (God) sometimes Ātman (Self), sometimes simply Sat (Being). In the Aitareya Brāhmaṇa[175] and the Bṛhadāraṇyaka[176] Upaniṣads there was at first the Ātman alone and when Ātman has been known every thing is known says the Bṛhadāraṇyaka.[177] There was only Being (Sat) at the beginning[178] the Chāndogya Upaniṣad states that it was one without a second. Again the Muṇḍaka[179] the Chāndogya Upaniṣad[180] said that "All this is Brahman". Brahman and Ātman are used synonymously in these different contexts. The Bṛhadāraṇyaka Upaniṣad also[181] tells explicitly in some places that this 'Self' is the Brahman.[182] It seems that Dandamis might have succeeded in identifying soul with God. The realisation of all pervasive reality underlying things gave Dandames utter fearlessness of bodily pains and even death. He further says that if Alexander severed his head from the body the sould would not be destroyed since it has been itself free and immortal and mixes with the five Bhūtas after the death.

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174 Chatterjee & Datta, An Introduction to Indian Philosophy, p. 356.

175 1.1. 176 1.4.1. 177 4.5.6.

178 6.2.1. 179 2.2.11. 180 3.14.1.

181 2.5.19.

182 Chatterjee & Datta, An Introduction to Indian Philosophy, p. 356.

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The descriptions of Calanus's self immolation given in the History of Alexander do not seem to have similarity with what Plutarch has stated in the Life of Alexander. The above writers have all agreed that Calanus left India along with Alexander where he fell ill and voluntarily died by entering into a burning pyre in front of Alexander. But their accounts describing the manner in which he courted death do not in some places tally with the other. From the History of Alexander, we learn that a funeral pyre had to be piled up in accordance with Calanus's own direction. Some said that a solemn procession of horses and men accompanied him. Some of those men being armed while others carried all kinds of incense for the pyre. Others said that they carried gold and silver bowls and royal apparel. A horse was provided for Calanus but he could not mount the horse. He was carried on a litter crowned with a garland after the manner of the Indians and singing in Indian tongue. The Indians said that the meaning of the song chanted while he was carried to the pyre was nothing but a prayer to the gods. Alexander witnessed the scene when the pyre was lit. Calanus did not move in the fire.

In a subsequent chapter Arrian records that Calanus was going to the funeral pyre to die, he embraced all other companions except Alexander whom he is believed to have said that he would meet him at Babylon and would embrace him there. Nobody however paid any heed to his remark but afterwards when Alexander died in Babylon, it came to the memory of those who heard it and took it to have been a prophecy of his death.

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Plutarch in his 'Life of Alexander' has stated that Kalanos after falling ill informed Alexander about his desire of embracing death into fire. He was conveyed to it on horseback. He prayed to God and sprinkled himself with a libation and cutt off part of his hair to cast into fire and ascended the pile. He lied on the pyre and covered himself with his robes. When the fire was ignited and the flames covered him, he did not budge an inch nor did he show any sign of pain.

The description which Plutarch gives us about the death of Calanus slightly differs from that of Arrian's observation. The difference may be ignored on account of the fact that from the account of Calanus, the Indian gymnosophist at seventy three given by Megasthenes, we can gather that the practice of self immolation did prevail in India from long before the 4th century B.C. from the time when Puranas were written, the method of starting on mahaprasthana and self-immolation by entering fire or falling from a precipice came to be forbidden.[183]

Orosins, a native of Terraco (Tarragona) stated in his History[184] that an Indian embassy reached Angustus at the time when he was residing in that city. As the date of this embassy does not tally with that noticed by Nicolas, some were of opinion that there were two different embassies, but this is highly improbably. According to Orosins who appeared to have been a keen observer, one of the men of the embassy did the same thing as that of Calanus. The Indian who had courted

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183 Kane, History of Dharmasastra, Vol. II, Part II, p. 928.

184 VI. 12.

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death by burying himself at Athens was called Zarmanochegas as we learn it from Strabo.[185] According to Dion Cassius[186] he was called Zarmanus, a variation probably of Garmanes of Megasthenes.[187] Strabo states that this Indian came to Syria in the train of the ambassadors who were sent to Augustus Caesar by a great Indian king called Poras. These ambassadors he says was accompanied by the person who burnt himself to death at Athens. This might be the practice with persons who sought escape from illness which they used to consider as disgraceful. He thought it necessary to depart lest he should depend on others by becoming an invalid. The naked man therefore with a smiling face leaped into fire and was burnt. The word Zarmanochegas was inscribed on his tomb. It seems that the name had obviously indicated a Buddhist ascetic for Zarmanochegas appears to be somewhat incorrect transliteration of the word Śramaṇāchārya. The expression ācārya means a spiritual guide or preceptor.

Strabo[188] while classifying the philosophers like Megasthenes[189] says that the wise men were divided into two classes one of which were called the Brāhmaṇas and the other class he describes as argumentative and captious. The latter class considers the Brāhmaṇas as charlatans and lacking in normal sense since they devoted themselves to the study of nature and of the stars. It seems that the argumentative class referred to above did not believe in the study of nature and of stars, probably because that they wanted pramāna i.e. sufficient proof of the existence of astronomical bodies. This argumentative class may be

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185 XV. i. 73. 186 LIV. IX.
187 Fragm. XLI = Strabo XV. 1. 58-60, pp. 711-714.
188 XV.C. 719.
189 Fragm. XLI = Strabo XV. 1. 58-60, pp. 711-714.

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identified with those who followed the Cārvāka system of thought of Indian philosophy. The word Cārvāka generally stand for 'materialist'[190] and it has been derived from a proper name and meant the follower of a sage of that name who did not believe in the existence of god and was a materialist.

Regarding the composition of the universe, most other Indian thinkers hold that it has been composed of the five kinds of elements (pañcabhūta), namely, ether (Vyoma) or air (Marut) or (Teja) or water (ap) and earth (kṣiti).[191] But the Cārvākas rejected the existence of ether because its existence could not be proved or perceived. Therefore, the material world according to them composed of four perceptible elements.[192] It perception is the only reliable source of knowledge the cārvākas can rationally assert only the reality of perceptible objects. God, soul, heaven life before birth or after death and any unperceptible law (like adṛṣṭa) cannot be believed in, because they are supposed to be beyond perception. Material objects are believed to be the only objects whose existence can be perceived and whose reality can be asserted. It may be probable that the Greek writer might have heard about the nature of this class and designated them as the Prāmāṇikas[193] because they regarded perception as the only prāmaṇa or dependable source of knowledge before arriving at certain conclusion. Strabo informs us further that the Prāmāṇikas were orthodox Brāhmaṇas and believed in Vedic ceremonies.[194] Strabo might have mistaken and could

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190 S. Chatterjee & Datta, An Introduction to Indian Philosophy, p.56.

191 Ibid., p. 61. 192 Ibid., p. 62.

193 Fragm. 70.

194 Rapson, Ancient India, p. 58-61.

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not differentiate between the two classes on account of the fact that those prāmāṇikas usually based their contentions relating to their philosophy on perception which they held to be the only source of knowledge.[195] To a foreigner like Strabo, Scepticism or agonosticism of the Cārvākas who refused to accept traditional wisdom without a thorough criticism might appear as orthodox.

Strabo further tells us that those brāhmaṇas may be classified into three categories, In the first position he placed those brāhmaṇas who were required to dwell in the mountaings.[196] It seems that those who were referred to by Strabo as mountain dwellers may be identified with the Sarmanes of Megasthenes.[197] Those were the brāhmaṇas in the third religious āśrama. It appears that for practicising austeritics, one might either go to a forest or to a mountain and the Greek writer might have noticed those ascetics who were dwelling in the mountains and classified them as mountain dwellers. The only essential requirement for a hermit was that he had to go to a secluded place where the din and bustle of the material world might not disturb him. From Strabo we learn further that those naked ascetics were required to practise endurance upto the age of thirty seven.[198] Megasthenes too[199] while he was describing the life of a brāhmaṇa says that the Brāhmaṇas were required to study the Vedas at the teacher's house for thirty seven years. He was obviously referring to the period of studenthood. Megasthenes's observation does not appear to be precise since Indian texts

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195 Fragm. 70.

196 R.C. Majumdar, Classical Accounts of India, p. 281.

197 Fragm. XLI = Strabo. XV. 1. 58-60, pp. 771-14.

198 Fragm. 70.

199 Fragm. XLI = Strabo XV. 1.58-60, pp. 711-14.

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do not also suggest the exact age upto which one is required to do so. Moreover it may be said that those who adopted the life of an ascetic were required to observe severe austerities as a basis for the preparation of attaining liberation (mokṣa). Therefore unless it is attained one is not expected to give up the practise and return to the life of a gṛhastha. It seems that naked ones of whom Strabo gives us a picture may have belonged to the Digambara sect i.e. one of the two main sects of Jainism.[200] The expression Digambara means sky clads, that is unclothed[201] and others were known as śvetāmbara (putting on white clothes).[202] The division of these two sections in Jaina Community may be held as the most important schism since they became altogether two different groups in every respect of their habits and practices.

Hieun Tsang, a Chinese pilgrim who came to India during the 7th century A.D. mentions about the existence of two sects in Jainism[203] and also describes them as Nigranthas.[204] It seems quite plausible that the name Nigranthas has been derived from the name of Mahāvīra who was a nigrantha monk and a scion of the Jñātṛkas clan.

Strabo further says that women used to live with the naked and were required to observe strict continence.[205] But the Digambaras hold that no one who is born woman can attain final emancipation without becoming a man by taking another birth.[206] The Śvetāmbaras on the other

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200 Mishra, History of Indian Philosophy, Vol. I, p. 230.
201 Ibid., p. 230.
202 Ibid., p. 230.
203 Attters, On Yuan Chewang's Travels in India, p. 252.
204 Samuel Beal, Buddhist Records of the Western World, Vol.II, p.412-13.
205 Fragm. XV. C. 719.
206 Mishra, History of Indian Philosophy, Vol. I, p. 247.

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hand were of opinion that as perfect knowledge etc., are found in women they, like men, do get salvation.[207] Strabo's observation about the women ascetics[208] who lived with the naked ones is interesting. It may however he mentioned here that at an earlier stage, Digambaras might have avoided the company of women but at a later period this sect had been divided into four main subdivisions.[209] Out of those four, the Gopys section of the Digambaras however agrees with the Śvetāmbaras and holds that women also could attain mokṣa directly.[210] Strabo might have heard about those women ascetics who used to accompany the naked ones and belonged to the Gopya saṅgha of the Digambara sect.

While describing the nature and dress of the brāhmaṇas, who were placed in the third category, Strabo states that they lived in the world wearing robes made of white linen. Sometimes such robes were prepared from the skins of dear. The Gazelles also hung from their shoulder. Those brāhmaṇas had long beards and hair which they used to bind up and cover by a turban.[211], These brāhmaṇas described by Strabo bears a close similarity to the ascetics belonging to the Śvetāmbara sect of the Jainas. The Śvetāmbara means those followers of Jainism who were required to wear white clothes.[212] The Greek writer refers to the features of those white robed brāhmaṇas who used to move from village to village[213] and from town to town. According to the Jaina

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207 Ibid., p. 247.
208 XV.C. 719.
209 Mishra, History of Indian Philosophy, Vol. I, p. 246.
210 Ibid., p. 247.
211 XV.C.719.
212 Mishra, History of Indian Philosophy, Vol.I, p. 230
213 Ibid., p. 234.

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religion, an ascetic is required to pass through four stages namely, Sādhu, Upādhāya, Ācārya and Tirthaṅkara in order to reach the highest goal of life.[214] The first stage may be called the Sādhu stage when a jiva meaning a creature, leads the life of an ordinary ascetic living in seclusion, in case of a Digambaras or moving from place to place if he happens to be a Śvetāmbara along with a begging bowl.[215] The four stages prescribed in the Jaina canons do not appear identical with the four stages prescribed in the brāhmāṇical religion. Indian texts however prescribes four stages beginning with brahmacarya, Gārhasthya, Vānaprastha and Sannyāsa.[216] From the description of the dress, given by Strabo for those who lived a household life, it appears that those brāhmaṇas i.e. the Śvetāmbaras might have belonged to the second religious āśrama prescribed for the brāhmaṇas i.e. the life of a Gṛhastha prescribed in Indian literature. It seems that ascetics, belonging to the Śvetāmbara Sect of the Jainas do not have any restrictions in wearing a dress of any quality provided the garment was white in colour.

Megasthenes and Strabo, try to give us a picture of the lives of a brāhmaṇa although the lives which we find in the account of some unknown authors does not tally in all its details. In discussing the philosophical ideas of the brāhmaṇas other related accounts of classical age very frequently uses the symbolical expressions in order to make us understand about those ideas. We get from other Greco-Roman sources that amongst the brāhmaṇas in India, there was a sect of Philosophers who according to the same account used to lead an independent

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214 Ibid., p. 234.

215 Ibid., p. 234.

216 Kane, History of Dharmaśāstra, Vol.II, p. 420.

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life.[217] From the same sources it appears that the Philosophers were described as a sect, the observation does not appear to be identical with the description left by Megasthenes. He holds that Philosophers was a caste and divided the Philosophers into two classes namely Brāhmaṇas and Śramaṇas.[218] Indian literature however prescribes Brāhmaṇas as a first of the four castes.[219] The Greek writer further informs us that those philosophers were required to abstain from taking animal food and all victuals cooked by fire. They were required to subsist on the fruits collected from the ground, when the fruits on accounts of its natural ripenses dropped from the trees and not by plucking those from the trees. The same related accounts further provide that those brāhmaṇas were required to drink the water of the river Tagabena.[220] Megasthenes (while he was) classifying 'Sarmanes',[221] says that the hermits were required to subsist on wild fruits collected from the forest. Clemens Alexandrinus[222] while referring to the items of food to be consumed by the brāhmaṇas says that they were supposed to eat such food as having no life. He probably refers to the fruits to be taken up only by the brāhmaṇas when those fell from the trees on the ground and are supposed to have no sign of life. In the Mahābhārata[223], Hermits or ascetics were advised to subsist mainly on water and the air available in the forest where they are supposed to dwell.

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217 Fragm. LIV.

218 Fragm. XLI = Starbo XV. 1. 58-60, pp. 711-14.

219 Kane, History of Dharmaśāstra, Vol. II, p. 30.

220 Fragm. LIV.

221 Fragm. XLI. 1 Strabo. XV. 1. 58-60, pp. 711-14.

222 Stromateis. 111. 194.

223 46th Chapter, p. 3977 by Kali Prasanna Singha.

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The river 'Tagabena' quoted in other Greeko-Roman sources does not seem to be correct since Alexander the Great was not supposed to have crossed even the place known as Hydespes where he had to fight with Pūrū. It may be that he might have heard from others that the hermits were required to drink water of the river. The word 'Tagabena' appears to be synonymous with the sanskrit word Tangavena which may be the same as Tungabhadra a large affluent of the river Kṛsṇa situated in the Deccan. While referring to the philosophy of the brāhmaṇas the accounts of unknown authors state that the Philosophers used to go naked as they considered the body to be of no use to them and it was meant only for covering the soul.[224] The Philosophers as stated in the related classical accounts probably realised the futility of adorning the body by wearing garments unless the self is realised. The philosophy so expounded by them had similarly with the Doctrine of the Vedānta school of philosophy[225] which says that the body, the senses, the manas, the intellect and pleasures arising out of transitory nature of the self, have been all tested and found to be passing, changeful modes, not the permanent essence of the self. These are merely the sheaths (koṣas), the outer covers, so to say, which concealed an inner, permanent reality which cannot be identified with any of these. The Real Self is pure consciousness, every particular consciousness of objects being its limited manifestations. Not being limited by any object, this pure consciousness is also infinite. The Real Self is called Ātman.[226]

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224 Fragm. LIV.

225 Ind. Ant. Vol. V. p. 128, and Colebrooke's Essay on the Philosophy of the Hindus, Cowell's ed. p. 295-6.

226 Chatterji & Dutta, An Introduction to Indian Philosophy, p. 357.

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From the accounts of the same sources we further learn that the brahmanas were supposed to have subdued vanity for they had already realised the light i.e. the self. The literal meaning of the word vanity is Ahaṅkāra which means egotism. The notion of the Philosophers, it seems as described in the accounts has similarity with the Sāṅkhya Philosophy which states that the first product of the evolution of Prakṛti may be mahat or buddhi.[227] Ahaṅkāra or ego may be called the second product of Prakṛti which arises directly out of mahat, the first manifestation. The function of ahaṅkāra is the feeling of 'I' and mine (abhimāna). It is on account of ahaṅkāra that the self considers itself (although wrongly) to be an agent or a cause of action, a desire of and striver for ends and an owner of properties. We first perceive objects through the senses. Then the mind reflects on them and determines them specifically as of this or that kind. Next there is an appreciation of these objects as belonging to and intended for me, and also a feeling of myself as somehow concerned in them. Ahaṅkāra is just this sense of the self as 'I' (aham) and of objects as 'mine' (mama). When Ahaṅkāra thus determines our attitude towards the objects of the world, we proceed to act in different ways in relation to them.[228]

From the Greco-Roman sources we get further elaboration of the attitude of the brāhmaṇas towards death. It seems that death was looked upon by them as nothing,[229] for they possibly thought that it would be the inevitable end of a man's life. This attitude of the

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227 Sāṅkhya - Sut., 1. 71.

228 Chatterjee & Datta, An Introduction to Indian Philosophy, p. 269.

229 Fragm. LIV.

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brāhmanas has striking resemblance with the Upaniṣadic doctrines. The Bṛhadāraṇayaka Upaniṣad[230] states that new body which the Jīva assumes after death may be suited to the manas or the celestial gandharvas or the devas or other beings. The Jīva being attached, attains that result to which the subtle body or manas may be attached. After having experienced the results of whatever work it did in this life, it returns from that world to this again to do fresh deeds. This is all about the transmigration of the Jīva. But there are some Jīvas who do not transmigrate because of having tasted all the bhogas in the same birth. These have no vāsanās left for any future birth. The only desire in their mind is to realise the Ātman. So their organs do not depart as is generally the case at the time of death. Then the Jīva attains Brahmahood.[231] The Bṛhadāraṇyaka Upaniṣad states that Jīva becomes immortal in this very body. This is the state of Jīva mukti,[232] the idea of which the brāhmaṇas have developed in them.

The Greco-Roman sources further enlighten us about lives of the brāhmaṇas who did not have wives nor children.[233] The observation revealed in the related accounts may be correct since the hermits or ascetics were supposed to lead a life of austeritics either by adopting a mode of Vānaprastha or by becoming a wandering mendicant. In the case of observing brahmacarya life i.e. the first āśrama, a brāhmaṇa is required to observe celibacy for the period of studying the Vedas. He

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230 IV. IV. 4.

231 IV. IV. 6.

232 Umesh Mishra, History of Indian Philosophy, Vol.I, p. 115.

233 Fragm. LIV.

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may adopt Vānaprastha, after completing the period of studenthood without entering into the life of gṛhastha or may even adopt the life of a Sannyāsi after renouncing the world.[234] The related account appears to have used symbolical expressions, the meaning of which does not appear to be very clear. It informs that the brāhmaṇas who had desire to lead a life like those who had neither wives nor children were required to cross over the river and remained with them for good and were not allowed to return to their country.[235] After analysing the symbolical expression which the accounts furnish us we may conclude that the Greek writer probably has compared the life of a gṛhastha i.e. second āśrama with the river and says that to lead a life of those brāhmaṇas, one is required to cross the river like Gṛhastha which means a brahmacārin may enter into Vānaprastha directly without entering into the life of Gṛhastha and may adopt the life of a Sannyāsa after renouncing the world.[236]

We learn from the accounts of the unknown authors of the classical age that the brahmanas regarded the body as the external covering of the soul just as garment was used by human beings in order to cover up the body and which has nothing to do with the soul.[237] This idea regarding the brāhmaṇas echoes the idea of the Nyāya Philosophy. The Nyāya like many other systems of Indian Philosophers, seeks to deliver the self from its bondage of the body, the senses and their objects. According to it, the self may be considered as independent of the body and mind. The body seems to be a composite substance made of matter, The mind (manas) may be treated as a subtle indivisible and

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234 Kane, History of Dharmaśāstra, Vol.II p. 421.

235 Fragm. LIV.

236 Kane, History of Dharmaśāstra, Vol.II p. 421.

237 Fragm. LIV.

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eternal substance (aṇu). It serves the soul as an instrument for the perception of Psychic qualities like pleasure and pain. The self (ātman) may be another substance which is quite distinct from the mind and body. It acquires the attitude of consciousness when it is related to any object through the senses. But consciousness is not an essential quality of the self. It is an accidental quality which ceases to qualify the self in the state of mukti or liberation.[238]

From the same sources we further learn that the brāhmaṇas held that there had been a constant conflict between the evil and good in the body i.e. with Ignorance and knowledge. Indian thinkers also hold identical view like the brāhmaṇa ascetic. The Graeaco-Roman sources further dilate about the conception of the brāhmaṇas' philosophy of life and says that men were supposed tobe under bondage of their innate enemies, namely the sensual appetites, gluttony, anger, joy, grief, longing desire and the like.[239] From the study of the brāhmaṇas' philosophy, referred to by Strabo, it may is learnt that men are subjected to the process of birth and death and the consequent miseries to which an individual is meant to put up with. Liberation means absolute cessation of the six Ripūs and by conquering those one may therefore be able to put a stop to this endless cycle of births and deaths.

Stobaeus,[240] who flourished probably in the sixth century A.D. informs us about an Indian who visited Syria as a leader of an embassy during the reign of Autonius of Emesa who was supposed to have

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238 Chatterjee & Datta, An Introduction to Indian Philosophy, p. 35.

239 Philosoph, 24, ed. Delarne, Paris, 1733, Vol.I, p. 904 (Fragm. XLI, XLIV, XLV).

240 Ibid., p. 35.

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reigned from 218-222 A.D.[241] The chief of this embassy named Dandamis or Sandanes met with Bardesanes at Mesopotamia where he informed Bardesanes of the nature of the Indian Gymnosophists which he preserved but sometimes after, the documents were supposed to have been lost.

Stobeaus, who was able to preserve some of the fragments of Bardesanes tries to give us some information regarding the Indian Theosophs whom the Greeks called by Gymnosophists. He says that the Indian Theosophs were divided into two sects namely Brāhmaṇas and Shamans, Shamanaeoi. While describing the origin of the Brāhmaṇas, Stobaeus says that the Brāhmaṇas in general were considered to have belonged to one family and supposed to have come from a single parenthood. Stobaeus's conjecture however does not hold good since the Brāhmaṇas were supposed to be one of the four castes enumerated in Indian literature.[242] All persons within its fold are entitled to be designated as brāhmaṇas. Megasthenes[243] while describing the caste system places the Philosophers as a class and then divides it in two categories, namely Brāhmaṇas and Garmanes. Stobaeu's conception about the Brāhmaṇas who had evolved from a single parenthood, i.e. from one single mother and father would have been tenable, had the Brāhmaṇas found a family but in the Puruṣa Sūkta[244] of the Ṛgveda[245] the Brāhmaṇas were supposed to have sprung from the mouth of the Supreme Puruṣa. Stobaeus possibly was not aware of the fact that the

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241 Physicia, i. 54.

242 Kane, History of Dharmaśāstra, Vol I, p. 51.

243 Fragm. 39.

244 X.90. 12.

245 X.90.

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Supreme Puruṣa in Indian literature may be indentified with God i.e. the Brahmā.[246] Stobaeus further observes that the Brāhmaṇas had inherited priesthood ; this observation seems to be plausible since the expression Brāhmaṇa means a person who has been regarded as the 'descendant of a Brahman' i.e. of a priest as has been found in the Ṛgveda.[247] In the Artharvaveda[248] and in the Taittirīya Saṃhitā[249] the word Brāhmaṇa happens to be a very common word denoting priest. In addition to priesthood the Brāhmaṇas were required not merely to practise individual culture, but also to give others the advantage of their skill either as a teacher or as a sacrificial priest or as a purohita.[250]

While describing the other sects of Indian theosophs Stobaeus refers to the Shamans who were usually recruited from all categories especially from those who were supposed to devote themselves to the study of divine things. Arrian in his Indika[251] writes that the Brāhmaṇa caste was open to all and says further that only the philosophers belonging to any caste may be allowed to join this class since the mode prescribed for them was very hard to observe. It may be probable that Arrian had confused between the Brāhmaṇas who were a caste and the Philosophers who were supposed to adopt the life of an ascetic by renouncing the world. They might have belonged to different religious views and hence their practices might also be different but one thing might have been identical between different religions that the followers

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246 Momier Williams, A Sanskrit-English Dictionary, p. 63.
247 i. 164, 45 ; vi. 75, 10 ; vii. 103, 1.7.8 ; x. 16.6.
248 ii. 6.3 ; iv. 6.1 ; v. 17.9.
249 1.6.7.2 ; ii. 1.2.8.
250 Macdonell and Keith, Vedic Index, Vol.II, p. 88.
251 C.X.II.

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were supposed to spend most of their time to the study of divine matters by reciting the Veda and to generate the feeling of desirelessness. Since they were supposed to observe strictly the modes prescribed for them, the Greek writers sometimes called them the Philosophers, Sophists and Theosophs. But they were infact Brāhmaṇas by caste observing different stages of life prescribed in Indian literature and no other persons belonging to varna other than the Brāhmaṇas, were entitled to observe such stages of life.

Stobaeus further describes that the Brāhmaṇas were not required to pay any kind of taxes like other citizens.[252] They were supposed to be of so much independent spirit that they did not like to be treated by the king as ordinary subjects. The observation of Stobaeus with regard to the uprightness of the Brāhmaṇas has been best illustrated by Onesicritus who was deputed by Alexander to converse with and to request them to go with him to meet Alexander who expressed his desire to know their philosophy.[253] He was said that no use of sending men to them since they would certainly refuse to go, those who wished to learn their secrets must go to them. The Greek writer further observes that the Brāhmaṇas were not required to pay taxes. This happens to be quite correct since most Smṛtis suggest that a Śrotiya which means a brāhmaṇa supposed to be learned in the Vedas was to be exempted from payment of taxes. Certain passages of the Śatapatha Brāhmaṇa[254] as well

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252 R.C. Majumdar, Classical Accounts of India, p. 427 and J.W. McCrindle, Ancient India, p. 168.

253 Strabo XV, C. 715.

254 XIII. 6.2.18.

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as the Āpastamba[255] Vasiṣṭha-dharmasūtra[256] and Manu[257] state even during the earliest times the brāhmaṇas were not expected to pay any taxes.[258] Megasthenes also says that the Brāhmaṇas were immuned from labour and taxation.[259] Stobaeus further explains that some of the philosophers amongst the brāhmaṇas were required to dwell in the mountains and the others resided on the banks of the Ganges. The mountain dwellers according to Stobaeus were supposed to subsist on fruits and cows milk curdled with herbs. Those who lived on the banks of the Ganges were supposed to live either on the fruit collected from the trees or on the self-sown wild rice in case fruits were not available. To take any other food fnamely flesh of animal was strictly forbidden. It is fairly evident from Stobaeus's observation about those who dwell in the mountains and on the banks of the Ganges may be deemed to have renounced the world and may have accepted the third āśrama i.e. Vānaprastha. The description given by Stobaeus about the mountain dwellers on the one hand and those who lived on the banks of the Ganges on the other bear resemblance to Megasthene's observations about the Sarmanes.[260] The items of food to be consumed by both the classes i.e. ascetics of the mountain dwellers and those who lived on the banks of the Ganges have been fairly similar to those prescribed by the Indian literature for the hermits.[261]

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255 11.10.26.10.

256 19.23.

257 VII. 133.

258 Kane, History of Dharmaśastra, Vol.II p. 143.

259 Megasth. Frags. 35 and 36 = Arr. Ind. 11f ; Strabo XV, C.703 V.

260 Fragm. 59.

261 Kane, History of Dharmaśastra, Vol.II, p. 920.

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Stobaeus further describes that the Brāhmaṇas were required to live in their own cabins and to depend on their ability as much as was practicable for them. They were also required to spend most of their time in prayers and reciting hymns to the Gods. The Āpastamba-dharmasūtra,[262] Manu[263] and Yājñvalkya Smṛti[264] also suggest that an ascetic should be devoted to the study of the Veda and recite it inaudibly. Manu[265] further states that he should study the various texts of the Upaniṣads for the purity of his body, for the increase of his knowledge and ultimately for realising Brahma.[266] Stobaeus's description of the practices for the brahmanas has a close resemblance to Megasthenes's observation while he was describing the life a brāhmaṇa. Megasthenes says that of a group of Philosophers that they used to spend their days in a grove under the cover of enclosure of due size lying on beds of leaves and skins and practising celibacy and endurance.[267] Bardesanes while describing the life of a brāhmaṇa like Stobaeus says that they were required to inculcate the duty of worshipping God with great reverence. Stobaeus does not however refer to that.

It seems that the deities were not generally worshipped in iconic forms during ancient Vedic times. In the ṚgVeda and other Vedas worshipping of Agni, Sūrya, Varuṇa and various other deities had been in vogue but they were worshipped in the abstract, as powers and manifestations of one Divine entity or as separate deities or functions behind natural

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262 II. 9. 22. 9. 263 VI. 8.

264 III. 48. 265 VI. 29-30.

266 Kane, History of Dharmaśāstra, Vol.II, Part II, p. 922.

267 Fragm. 30 = Strabo XV, C. 711 f.

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phenomenon or cosmic process. In the RgVeda,[268] Idra has been described as tuvigrīva (with a powerful or thick neck) and vapodara (having big or capacious belly) and subāhu (having well shaped arms). In another passage of the RgVeda[269], Indra's limbs and sides have been described and prayer was offered to him to taste honey with his tongue. In the RgVeda[270] Indra has been spoken as having dark green (hair) and beard and in another place of the RgVeda[271] Indra has been described as one who has hair on his chin. The Vājasaneya Saṃhitā[272] speaks of Rudra as having a dark blue throat and in another passage he has been found wearing a skin krtti. In the RgVeda[273] Viṣṇu has been said to approach a battle with his huge body and as a youth ('bṛhac-charīra' and 'Yuvā'). It may be said that these descriptions were not meant for any anthropomorphic sense but were just poetic and Metaphoric.

We look at the Vedic cult described in the Brāhmaṇas where offerings of butter, cakes and boiled rice or other grains have been made to several deities in fire. Animal and soma sacrifices have also been described at great length. From those it appears clear that they hardly ever thought of the worship of images but of deities with abstract forms to whom they attributed different functions and poetically represented them as having endowed like human beings with hands and feet and other limbs. It seems that image-worship had not been prevalent in the RgVedic rituals and the concept of abstractness had gradually permeated into the religious practises replaced offering of homage to abstract concepts by concrete forms i.e. by worshipping of images.

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268 VIII. 17.8. 269 VIII.17.5. 270 X. 96.8.
271 X. 105-7. 272 16.7 ; 16.51. 273 I. 155.6.

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Stobaeus further says that sometimes the Brāhmaṇas were found to expiate themselves either by retiring to a secluded place or by observing silence for many days if they had discoursed with anybody not belonging to his class since they disliked society most.[274] Stobaeus's observation seems to be correct since Megasthenes while enumerating the castes refers to this type of Brāhmaṇas although he does not fully corroborate the views of Stobaeus. The Greek ambassador says that on the New Year Day all Philosophers were required to be present at the King's door and to make predictions with a view to guiding agriculture or politics. If any one's prophecy proved false by the course of events, he had to keep silent for the rest of his life.[275] Stobaeus's observation about the Brāhmaṇas' nature who discarded free mixing with the society does not seem to be unusual for the Brāhmaṇas used to think that by free mixing they might loose the secrets of life which they had acquired by observing severe austerities. Stobaeus's contention about the expiation to be observed by the Brāhmaṇas does not seem to be improbable since the state of observing silence probably has a reference to those who were supposed to observe 'Mauna' by way of undergoing mortification. The expression 'Mauna' means observing silence[276] and the word has been derived from the word 'Muni' which it seems to be the stage attained by one to whom clod of earth and gold appear to be identical and who ceased from all activity and supposed to have driven out the senses of desire and anger[277] from the mind. In the ṚgVeda[278] there

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274 Majumdar, The Classical Accounts of India, p. 428.

275 Ibid., p. 237.

276 Monier Williams, A Sanskrit-English Dictionary, p. 836.

277 Kane, History of Dharmaśāstra, Vol.II, p. 132.

278 X. 136.2.

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is a referehce to munis who were wind girt and those who put on brownish girt (dirty garments). In another passage of the RgVeda,[279] Indra has been regarded as the friend of munis (Indro muninām sakhā). In another place of the same text[280] a Muni has been said to be the friend of all Gods. So it appears that even in the time of the RgVeda, persons who probably led a life of austierity contemplation and mortification were known and were honoured and called Munis.[281]

While describing the other sect of Indian Theosophs, Stobaeus refers to the Shamans as the class corresponding to the Brāhmaṇas described earlier. He says that any body who desired to enter this order had to be present before the city or village Magistrate. There the Shamans were to leave all their properties. And they would be shaved and put on Shamans dress. He was not allowed to think any more about his wife and children. Stobaeus goes on describing and says that the Shamans were to dwell outside the city and to spend most of their time in philosophical discussion. The description which Stobaeus gives us about Shamans' enrolment in the order and the rules regarding their initiation has a close reference to the rules enjoined by the tradition for becoming a fullfledged Buddhist monk. There were two stages prescribed in Buddhism. In the Mahāvagga[282] the first stage was called Pravrajyā (Pabbajjā), 'going forth from home'. Persons admitted to the first degree of monkhood may be called Śrāmaṇera (Sāmanera). Although they were novices, they were called new or junior monks.[283]

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279 VIII.17.14. 280 X.136.

281 Kane, History of Dharmaśāstra, Vol. II p. 420.

282 I.12

283 Monier Williams, Buddhism, p. 77 and P.T.S. Pāli-English Dictionary, p. 141.

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They might be admitted by a senior monk whom Stobaeus refers to as a Magistrate[284] without appearing before any formal conclave.

The admission to the first degree of monkhood was confined to certain acts and words on the part of the Śrāmaṇera witnessed by any competent monk. The Saṅgha, as a body took no part in it. The novice was required to cut off his hair and then put on three pieces of yellow ragged garments and then before a monk repeated three times the refuge formula. Stobaeus and Bardesanes observation seem to be almost identical when they describe the Pravrajyā ceremony in the form of enrolling a shamous to the order.[285]

The ceremony which was called Pravrajyā (Pabbajjā in Pāli) has a close link with the procedure laid down in the Indian literature regarding a brahmacārī when he was required to recite three times the Gāyatri or the secred prayer of the Veda before his teacher. Stobaeus further describes about the place where the shamans were required to live and says that they were to live outside the city and to spend whole-day in discourse upon divine things. The Buddhist monk had to dwell under trees or in huts formed of trees but actually he resided in collections of simple mud or brick tenements, in cells or in rows of caves hewn out of rock. Such collections of monastic dwellings were called vihāras. In the Mahāvagga[286] five kinds of such habitats have been mentioned as dwellings besides trees viz., vihāras, Aḍḍhayogas

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284 J.W. McCrindle, Ancient India, Section IX, p. 167.

285 Ibid., Section IV, p. 167.

286 1.30.4

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storied dwellings (prāsāda), mansions (hamya), and caves (Guhā). Vihāras were usually prescribed during Vassa (or the rainy season) and at such times a monk would have fellow monks living in company with him in the same monastery. Stobaeus's observations about the Shamans living in a big palace bears a striking similarity with what has been prescribed in the Mahāvagga. The Buddhist texts also prescribe five kinds of dwelling places(referred) for the monks. It appears that the Shamans living along with companions dwelt in monastery as prescribed by the texts.

Stobaeus further tries to give some idea about the philosophy of life followed by both the sects and says that they would attach the same value to death as to life ; although they viewed it as burdensome yet they admitted the necessity of life.[287] Life to them was necessary because they thought that this world was the place where one could fight out the miseries of life i.e. to drive out ignorance till he attains Mokṣa or Nirvāna. Or in other words as long as a human being would live on the earth his constant effort would be to identify his soul with the universal soul. And as soon as Mokṣa would be attained, life would become useless or rather burdensome and one would thereafter pine for leaving this world. Stobaeus continues to say that they therefore would hasten to free the soul from the body. Even a man in good health would inform his friend about his intention to quit the world. His friends would not try to refrain from facing death ; instead they would acquise, because they thought that the passing souls would give message of this world to the relatives who had died long ago and such souls would have

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287 R.C. Majumdar, Classical Accounts of India, p. 429.

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intercourse with one another. Stobaeus might have referred to those souls who after death would have intercourse with the souls who had obtained Mokṣa or Nirvāṇa. Unless self obtains Mokṣa or Nirvāṇa the question of rebirth come in and hence the sould after death would not converse with the souls who had already obtained liberation. We learn from Stobaeus further that the both the Brāhmaṇas and the Shamans were required to throw themselves into burning piles since they thought that they would like to embrace death with all purity in life.[288] Megasthenes[289] says that though suicide was not universal obligation for wisemen, it was considered however a gallant thing and the more painful the manner of death, the greater the admiration earned. Frequent references have been made by classical writers to this practice. Pomponius Mela[290] writes thus : "when old age or disease affects them, they go far away from others and await without any anxiety. This probably has a reference to the great journey i.e. Mahāprasthāna. Manu[291] and Yājñvalkya[292] state that if the hermit suffers from some incurable disease and cannot properly perform his duties or feels death to be near, he should start on the great journey turning his face toward north East, subsisting on water and air only, till the body fails to rise no more.[293] From the account of the death of Calanos the Indian Gymnosophist at 73 given by Megasthenes[294] it can be gathered that the practice of religious suicide prevailed long ago before the 4th century B.C. Strabo[295] states that with the ambassador that came to Augustus Caesor from India also

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288 McCrindle, Ancient India, Section IX, p. 167

289 Megasth. Fragm. 42 = Strabo XV.C.718.

290 III.vii.40. 291 VI.31 292 III.55.

293 Kane, History of Dharmasastra, Vol.II, p. 922.

294 McCrindle, p. 106. 295 XV.1.4.

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arrived an Indian gymnosophist who committed himself to the flames like Calanos and he had displayed the same spectacle before Alexander. His name was according to Dian Cassius,[296] Zarmanus, a variation probably of Garmanes. This Indian was a Buddhist ascetic as his name indicates for Zarmanochegas seems to be somewhat incorrect transliteration of Śramaṇāchārya. Clemens Alexandrinus, while describing the nature of the Brāhmaṇas like other classical writers states that the Brāhmaṇas neither used to take such food as having life nor used to take wine.*[297] He further describes that some of them used to take food like ourselves while others were required to take food one in the day.

It seems difficult to find out the exact meaning of Clemen's remark about the Brahmanas' habit of taking such food as having no life or drinking wine. One plausible explanation may be derived from Clemens's remark that he possibly refers to the restriction imposed much later on the Brāhmaṇas since the eating of meat appears something quite regular in Vedic texts. From Pseudo origin the classical account of unknown author$ [298] we learn about the food habit of the Brāhmaṇas and that says the Brāhmaṇas usually abstained from taking meat as referred to by Clemans. The offerings of flesh at rituals was made in the belief that the gods would consume it and then the Brāhmaṇas. In the RgVeda,[299] Agni was called the "eater of ox or cow". In the Śatapatha Brāhmaṇa,[300] slaying of a great ox or a great goat for a guest was regularly prescribed.

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296 LIV.ix.

297 Stromateis. III. 194 Cf. Majumdar, The Classical Accounts of India, p.439.

298 Philpsoph, 24 ed. Delarue, Paris, 1733, Vol.I, p. 904.

299 viii.43.1.2. 300 iii.4.1.

* A detailed discussion regarding the food habits has been made in Chapter V.

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In another passage of the RgVeda[301] the term Atithigva, has been used meaning 'slaying cows for guests'. The Śatapatha Brāhmaṇa[302] refers to an incident where the Great Yājñvalkya once discarded the flesh of milch cows and bullocks and accepted such meat only when it was amsala (firm or tender). There occurs a passage in the RgVeda[303] which goes to say that marriage ceremony was accompanied by the slaying of oxen for distributing the flesh amongst the guests.

In the Kātāyana Śrauta Sūtra,[304] eating of meat was forbidden as long as a man had been under a vow. A brahmacārin remaining in the house of a teacher was not allowed to take meat. In the Atharvaveda[305] the eating of meat seems to have been disapproved.

Inspite of the prevalence of animal sacrifices, several passages of the RgVeda[306] contained traces of the conception that devout offering of praise or fuel stick or of cooked food was as good as solemn sacrifice. The oblations of food made to the accompaniment of hymns was felt as equal by effications as sacrifices with bulls, oxen and cows. The Śatapatha Brāhmaṇa[307] adumbrates the doctrine that an eater of meat would be eaten in the next birth by the animal killed. It appears that the causes that led on to the giving up of eating of meat by the people primarily based on the metaphysical conception of one supreme entity from whom was derived the whole universe and its creatures.

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301 X. 68.3. 302 iii.1.2.21. 303 X.85.13.

304 ii. 1.8. 305 vi. 70.1.

306 VIII. 19.5 ; VIII. 24.20.

307 XI. 6.1.3.

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The usual food of the Vedic Indians as far as flesh was concerned seems to have been the meat of sheep, goat and ox. It may be concluded however that flesh was allowed in early Vedic days but was restricted when the conception of transmigration of soul developed during the Brāhmaṇa period.[308] But this fact might not be regarded as an evidence of the fact that meat eating generally was condemned. Even the Vedānta-sūtra[309] does not admit that the killing of animals in sacrifice may be treated as impure. The Bṛhadāraṇyaka Upaniṣad[310] which contains a full statement of the doctrine of transmigration recommends[311] that one who desires to have a learned son to be born to him, should offer a sacrifice of the flesh of a bull or ox with rice and ghee. Vasiṣtha dharmasūtra[312] goes to say that if an ascetic does not take flesh when requested to do so in a śrāddha or in a rite for the gods, he falls into hell for numberless years. Gradually however, a change came over in the sentiments of the people.[313] This change becomes evident by the act of the Great Emperor Aśoka who reduced the number of animals to be slaughtered in the royal kitchen[314] to two peacocks and one deer daily.[315] Though number of animals to be slaughtered for the royal kitchen had been reduced to a considerable extent, as it is evident from Asokan Edicts, yet it was not altogether stopped. When Clemens made his enquiries it seems that the practise of eating meat was altogether stopped. Clemens probably has classified the Brāhmaṇas according to the food habits and says that 'some of them like ourselves take food while others of them do so in three days. He probably refers to those Brāhmaṇas who may be regarded as having entered the life of a householder i.e. the second asrama where no restrictions had to be encountered regarding taking food.

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308 Deuseen, Philosophy of the Upanisads, p.317 and Keith, Journal of the Royal Asiatic Society, 1909, p. 565.
309 iii.i.25. 310 VI.2. 311 VI.4.18. 312 XI.34.
313 Kane, History of Dharmaśāstra, Vol.II, p.777.
314 First Rock Edict. 315 Second and Fourth Rock Edicts.

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Megasthenes[316] and Strabo[317] state that the first caste of Philosophers which they had divided into two sub-divisions, viz. the Brachmanes and the Sarmanes (Śramaṇas) abstained from animal food and sexual intercourse while a brahmacārin and that after living in this manner for 37 years they used to start a life of lesser restraint and did not abstain from taking animal food particularly the meat of those animals that did not assist man in his labour. Clemens's observation about the Brāhmaṇas who were not in the habit of taking wine nor take meat as an item of food, might have been confusing since the word 'wine' probably included two types of liquor known as Soma and Surā which according to the RgVeda[318] could be consumed quite freely by the people.

A distinction appears to have been made between soma and sura (liquor), the former, an intoxicating drink, which was meant exclusively for being offered to Gods and to be drunk by the priests, while the other had been used as a beverage for common men and also offered to Gods. The Śatapatha Brāhmaṇa[319] and also the Bṛhadāraṇyaka Upaniṣad[320] state that the Brāhmaṇas' proper drink was soma. What Clemens intends by saying that the Brahmanas did not drink wine does not seem to be very clear but it may be conjectured that while Soma was primarily meant for offering to Gods and the offerings were to be made by the priests of Brahmana origin, then the Brāhmaṇas were required to drink soma only and not sura although the Dharmasūtra of Gautama[321] and Manu[322] forbid drinking of all kinds of intoxicants to brahmanas at all stages of life. Megasthenes[323] and Strabo[324] however notice that Indians did not drink wine except at sacrifice. The verses of Manu[325] have been very

316 Megasth. Fragm. 40 = Strabo XV,C.711 f. 317 XVI. 1.59.
318 VII. 86.6 ; VIII.2.12. 319 iii.5.1.25. 320 iii.15.8.
321 11.25. 322 1.5.17.21.
323 Megasth. Fragm. 27 = Strabo XV,C.709. 324 XV.1.53.
325 XI. 93-94.

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often quoted in digests and commentaries where drinking of Soma appears to have been totally rejected as being a refuse of food and the sin committed thereby was regarded as the mala (filth). A Brāhmaṇa, a rājanya and a vaiśya therefore should not drink surā which was prepared from three different materials viz. from molasses, from flour and from flowers of the Madhūkatree. It has been suggested in the same text that the Brāhmaṇas should not drink intoxicating liquor prepared from anyone of these three objects referred to above. Although drinking of Soma had been held as approved for use yet the sentiment against drinking any kind of intoxicants appeared to have gradually developed amongst the brāhmaṇas and drinking of liquor began to be looked down upon by people of all castes. Evidently the use of such liquor amongst the ascetics became prohibited and Clemens's observations appear to have been based on fact.

Clemens further observes that some of the brāhmaṇas used to take food once in three days. This observation probably has a reference to fasting (upavāsa) prescribed in Indian literature. The ascetics very often observed fasting which meant total abstinence from food which was quite meagre in quantity. The Dharmasūtra of Gautama[326] however treats upavasa as one among the several means of removing sin, if any, committed by the ascetics. That the Brāhmaṇas used to take food once in three days probably referred to such observance of fasting of short duration. The Viṣṇu-dharma sūtra[327] and Manu[328] suggest that a hermit was required to take food every alternate day or once after or three days. Clemens also

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326 19.11.

327 95.5-6.

328 VI.19.

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refer to the fact that the brahmanas used to decry death and attach no importance to life for they regarded that there would be new birth, after death.

This notion of the ascetics towards life and death has been referred to by almost all the classical writers. The apathy towards life led them very often to offer themselves to the burning pile sometimes erected by themselves. Onesicritus[329] and Nearchus[330] in their accounts refer to such type of men who discarded life and to them also death was ~~also~~ of no consequence. Calanos was probably one such man who as it has already been referred to above accompanied Alexander and had subsequently courted death by entering a burning pyre. He was probably prompted by the idea that life here in this world would be of no use since he believed that he would have to take a new birth. This conception of life was cultivated by those who were supposed to have renounced the world. Life after death was to the Vedic Indian a repetition of the life in this world. In the Śatapatha brāhmaṇa[331] the dead soul may is stated to proceed to the next world 'Sarva tanuḥ Sāṅgaḥ' i.e. with whole body and became eligible for enjoying there the same pleasures as he had enjoyed on earth. Another passage of the same text[332] refers to the doctrine of the brāhmaṇas which was based on the conception that after death, all people whether good or bad had to be born again in the next world and were to be recompensed according to their deeds.[333] Clemens further informs us that the brāhmaṇas used to adore Herackles and Pan. Megasthenes[334] while referring to the Philosophers says that those

329 Fragm. 64. 330 Fragm. 66.
331 V.6,1,1; XI,1,8.6 ; XII,8,3.31 332 6.2.21[27] ; 10.6.3[1].
333 Macdonell, Vedic Mythology, p.169.
334 Megasth. Fragm. 40 = Strabo XV.C.711 f.

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who dwell in the mountains used to worship Śiva and those living in the plains used to worship Herackles i.e. Kṛṣṇa. Clemens's remarks about worshipping Pan by the Brāhmaṇas seems to be compatible with the views of Megasthenes since the word Pan has been derived from the Sanskrit word Parṇa which denotes large, leaved sacred tree, Butea frondasa later usually called Palāśa. It occurs in the ṚgVeda[335] in connection with the Aśvattha and with that tree as well as the Nyagrodha tree, in the Atharvaveda.[336] Sometimes the word Parṇa also has been used meaning a leaf in the ṚgVeda[337] and in Atharvaveda[338] as well.

Trees have been highly prized in India at all times. The Taittirīya Brāhmaṇa[339] speaks of seven kinds of holy trees. The Taittirīya Saṃhitā[340] states that idhma (Samidhs) should be of nyogrodha, udumbara, Aśvattha and plakṣa trees as they were supposed to be the abodes of Gandharvas and Apsaras. It appears that Clemens by the word Pan might have indicated some trees to which some divinity had been attached and were worshipped in ancient India.

From Clemens we further learn that there were a class called by him as Semnoi who used to go naked all their lives and used to predict future events which Megasthenes[341] had referred to. They held a kind of pyramid as an object of reverence as bones of divine person were kept beneath such pyramid like steeples. Such pyramids which the Semnoi used to worship were probably the Stūpas and the class whom Clemens designates as Semnoi might have been members of the Digambar Jaina Sect.

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335 X.97.5. 336 V.55. 337 X.68.10.
338 VIII. 7.12. 339 I.1.3. 340 III.4.8.4.
341 Megasth. Fragm. 35 and 36 ; Arr. Ind. 11 f ; Strabo XV,C.703 V.

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In the Mahāparinibbāna Suttanta,[342] Buddha enjoined Ānanda to erect at the crossing of four highways a stūpa over the remains of his body, after it had been burnt on the funeral pyre, in the same way as the Stūpa of a universal monarch. It seems therefore clear that the custom of erecting stupas was already existing during Pre-Buddhist times. The Jains also erected this form of memorial in early times, but it was the Buddhists who particularly selected and adopted such stūpas for their own use. In course of time the stūpa acquired a special Buddhistic association as containing a relic (dhātu) of the Master or of his Chief disciples. Such stūpas were built at important marking spots associated with events in the life of the Buddha or in the history of Buddhism. The enshrining of a relic symbolising the presence of the Master himself had becomes a devotional aspect with the Buddhists from the very beginning of Buddhism. Stūpas were also set up as Votive objects in sanctuaries, known as caitya halls and Vihāras. The word 'caitya', had been derived from the expression citā[343] which was built by piling materials in layers.[344] Such caitya halls were to be erected on sacred Buddhist sites as pious works, the gift of a stūpa reckoned as meritorious as that of the gift of an image even when the latter came to be in prolific use. Apart from objects for which they were raised, there had however no other indication by which they could be distinguished from one another. The origin of stūpas has given rise to many theories. The most probable view seems to be that this hemispherical structure emerged out of the earthern funeral mounds (Śmaśānas) under which according to Vedic ritual, the ashes of the dead were to be buried.

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342 Dīgha Nikāya, XVI, 5.11 ; S.B.E.XI. 93.

343 R.K.Mukherjee, Hindu Civilisation, p. 312.

344 Monier Williams, A Sanskrit-English Dictionary, p. 394.

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It will be seen that the disposal of the dead in ancient India was divided into four stages viz. cremation, collecting of charred bones and burying those after depositing in an iron urn, expiatory rites and erection of a monument over the bones. The erection of monument was however not done in every case. In the Brāhmaṇa purāṇa[345] referred to by Aparārka, it nas been stated that the charred bones of a cremated person should be collected in an urn and deposited at the root of a tree or cast in the Gaṅgā. The place of cremation was required to be purified with cowdung and water. On that place a puṣkaraka tree should be planted or an eḍūka, which means structure, may be built over it. The bones of the dead, whether buried or not were marked by erecting a tumulus.[346] Although it does not appear clear whether the ṚgVedic people used to worship the relic tower or not, it however seems that they used to keep the memory of the near and dear ones who passed away by means of erecting monuments. These monuments eventually were regarded by the succeeding generations as sacred places where due homage was required to be paid. This attitude in course of time developed into a regular feature of worshipping the relic tower and permeated into the religious life of the Jaiṇs and the Buddhists. Clemens was probably right when he noticed that the Jainas used to worship pyramids. To the eyes of a foreigner like Clemens Alexandrinus, the relic tower might appear to be a pyramid but it was a steeple erected by the Jainas which they were supposed to worship with reverence as a sacred place. As for the antiquity of the Jaina architecture, the excavations at Kankali Tila near Mathurā establishes without any doubt that the erecting of stūpas might have taken place

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345 pp. 885-886.

346 Macdonell and Keith, Vedic Index, Vol. II, p. 175.

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several centuries before the Christian era and probably the Jain as had adopted it from the Vedic style. Clemens further asserts that neither the Gymnosophists nor the Semnois allowed women to be associated with such stūpas, for they regarded such association as contrary to nature and unlawful. Both these classes were required to study nature and to predict the future courses of events. Clemen's observation does not appear to have thrown any new light on the feature of the lives of the hermits or ascetics. Nearchus[347] however observes that women were allowed to associate themselves with men as ascetics. Megasthenes[348] says that in the case of some Sarmanes women were permitted to share in the philosophic life on condition of observing sexual continence like the men. It appears that Megasthenes's observation was compatible with Nearchus. Indian literature however endorses the view of Nearchus and Megasthenes. Manu[349] and Yājñvalkya[350] suggest that one may enter the stage of Vānaprastha i.e. to lead the life of a hermit by taking with him his wife or one may leave her in charge of ones sons. It further says that a wife may go with her husband if she so desired.[351]

Indian literature does not, however, specify clearly whether a wife should accompany her husband or be left out. It appears that the accompaniment of wife with the person adopting the life of a hermit might depend upon the condition suitable at the time of departure. Megasthenes, while he has been describing the life of a brāhmaṇa, enumerates the reason why the brāhmaṇas never initiated their wives into their philosophy and says that if the wives became wanton, they might divulge the mysteries to

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347 Nearchus, Fragm. 7 = Strabo XV,C. 716.
348 Megasths. Fragm.40 = Strabo XV,C. 711 f.
349 VI.3. 350 III.45.
351 Kane, History of Dharmaśāstra, Vol. II, p. 918.

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he profane. If however, they were good natured, they might not care to remain under another's control, once they had learnt the art of discarding pleasure and pain, life and death. In the Arthaśāstra[352] Kauṭilya however forbids the practice of taking the wife with the husband while adopting the stage of a hermit.

Clemens further says that the Semnoi used to study nature and were capable of predicting future events. Strabo[353] while giving an account of philosophers refers to those brāhmaṇas who as a class used to study the nature and of the stars but does not state whether they were required to predict. But it may be probable that those brāhmaṇas who studied nature including the position of astral bodies used to do this for predicting the unforseen events particularly relating to the famine and draughts if asked by the king.

As already mentioned, Megasthenes divides the population of India into seven castes namely (1) Philosophers (2) Husbandmen (3) Herdsmen (4) Artisans (5) Military (6) Overseers or spies and (7) Councillors and Assessors and places Husbandmen in the second order of his seven castes. This division of the society does not however conform to the description of the castes as found in Indian literature. The Puruṣasūkta of the ṚgVeda,[354] without using specifically the word varṇa which indicates castes, speaks of the Brāhmaṇas, Rājanya, Vaiśya and Śūdra. In the ṚgVeda[355] the word Varna means colour which was applied to denote classes belonging to the dāsa and the Āryan groups on the basis of colour. This division was mainly confined to two groups of

352 19, p. 48. 353 XV, C.719.
354 X.90. 355 1.73.7,11.3.5.

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people having two different body colours. In this respect however the Ṛgveda fundamentally differs from the Kāṭhaka Saṃhitā[356] and the Śatapatha Brāhmaṇa[357] where four castes appear to have been clearly enumerated. Megasthene's second order however includes those who formed the bulk of the population known as cultivators. He further describes that they never used to participate in war nor were they in any way affected by war. Their primary concern was to cultivate the soil and to pay taxes, one fourth of the produce in addition to rent. The description which the Greek ambassador gives about the second order of his castes appears to have a close resemblance to the third caste i.e. the Vaiśyas mentioned in the Puruṣasūkta of the Ṛgveda[358] although the expression Vaiśya appears in the text only once but the word 'viś' seems to have occurred frequently meaning people or Group of people[359] distinct from the two upper groups i.e,, the Brāhmaṇas and the Kṣatriyas on the one side and from the Śūdras on the other. In fact the Śatapatha Brāhmaṇa[360] and the Kauṣītaki Brāhmaṇa[361] refer to the word 'viś' which formed the very basis of the state and upon which the Brāhmaṇas and the Kṣatriyas used to depend. The Pañcaviṃśa Brāhmaṇa[362] and the Aitareya Brāhmaṇa[363] indicate that the Brāhmaṇas and the Kṣatriyas were considered superior to the 'viś'.[364] The real power of the state was in the hands of the king, his nobles and their retainers who sprung from the Ksatriya element. After the Puruṣasūkta in the Ṛgveda, the word 'viś' sometimes appears in the Atharvaveda[365] and Vājaseneyi Saṃhitā[366] in the form of viśya which means a man coming of a community ofthe third caste.[367]

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356 XXX.IV.5. 357 V.5.4.9 ; VI.4,4.13. 358 X.90.
359 P.V.Kane, History of Dharmaśāstra, Vol.II, Part I, p. 32.
360 XI.2.7.16. 361 XVI.4. 362 ii.8.2.
363 ii.33.1. 364 Macdonell and Keith, Vedic Index, Vol.II, p.254.
365 V.17.9 366 XXX.5.
367 Momier William, A Sanskrit English Dictionary, p. 989.

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Hieun Tsang[368] while describing the caste system refers to the existence of four castes. This division tallies with the caturvarṇa system mentioned in Indian literature. The only mistake that has taken place in his description about the caste system is that he places the Śūdra as usual in the fourth order but takes them to be farmers or agriculturists. But in the Puruṣasūkta[369] śūdra appears to have originated from thighs of the Supreme Puruṣa. In the RgVeda[370] the Śūdra seems to have been identified with men who were 'of dark skin'. In the Āpastamba Dharmasūtra, the Śūdras were described as having dark varṇa. The Bauddhāyana-dharma sūtra[371] indicates the same view as the former text. Just as horses are supposed to act as mounts or carrier of human beings, the Śūdras are considered as carriers of the other varṇas. Therefore the like the horse the Śūdras also were mainly meant to serve the people. According to the Taittirīya Saṃhitā[372] a Śūdra has been described unfit for performing sacrifice. This indicates that the Śūdra was not entitled to perform the Vedic sacrifices. According to Manu[373] Śūdras were required to serve the people belonging to the three higher varṇas i.e., the Brāhmaṇas the Kṣatriyas, the Vaiśyas and the persons belonging to the last named varṇa were supposed to be the cultivators or traders.

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The Vaiśya plays no significant part in Vedic literature which however speaks much about the Brāhmaṇas and the Kṣatriyas. The characteristics of Vaiśyas have been referred to by the Aitareya Brāhmaṇa which considers them as 'anyasya bali-kṛt', tributory to another, anyasyadya, i.e., to be lived upon by another and Yathākāma-jyeyaḥ, to be

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368 T. Watters, On Yuan Chwang's Travels in India, p. 169.
369 X.90.12. 370 I.9.27.11. 371 11.1.59.
372 VII. 1.1.6. 373 1.91.

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oppressed at will. They are taxed by the king (Rājan) who no doubt assigned to his retinue the right to support by the people so that the Kṣatriyas grew more and more dependant on the services rendered to them by the Vaiśyas. Some scholars thought that the Vaiśyas were not entitled to ownership[374] of property since the proprietory right to land depended on the renewal. This conjecture, however, it seems does not hold good since kings were ultimately dependent on the tax paid by the people for the management of the state. The expenditure incurred for the management of the state was met out of the taxes paid in kind levied from the people. In return the kings used to grant them ownership over villages for their maintenance while some of them no doubt had lands of their own cultivated for them by slaves or by tenants employed by them. The people engaged in agriculture, pastoral persuits and trade (vaṇij) were required to pay tribute to the king and the people in return were required to receive protection from them. Some scholars[375] suggested that they were not themselves agriculturists. This idea seems to be eroneous since the Vaiśyas might be landowners who used to draw their revenues from Śūdra tenants or even Āryan tenents. It would be wrong to assume that the Vaiśyas were not really agriculturists and that the Vedic society was merely a land holding aristocracy superimposed upon an agricultural aboriginal stock. The Dravidians were also agriculturists like the Āryans and the texts like Kāṭhaka Saṃhitā[376] and Kauśika Sūtra[377] suggest that the good of plougher was the mark of the Vaiśyas in life and in death. It would be wrong to say that the Vaisyas did not engage in Industry and Commerce since the expression Vaṇij denotes a merchant in the ṚgVeda[378] and it appears to have been used in the same sense in the Atharvaveda[379] also.

374 Hopkins, India Old and New, p. 222.
375 Baden Powell, Indian Village Community, p.190.
376 XXXVII.1. 377 lxxx. 378 i.12.11 ; V.4.5.6. 379 iii.15.1

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Megasthenes says that the cultivators were not required to participate in war ; his contention does not seem to be reasonable since during war the Vaiśyas were supposed to form the bulk of the force under a Kṣatriya leader.[380] The Vaiśyas appeared permanently in the retinue of the king along with the ministers and the Brāhmaṇas according to the Jātakas[381] and the Mahāvagga.[382] The Gahavai according to the Jaina literature appears to have been rich owners of land as shown by Hoernle.[383]

Mr. Fick in his book entitled 'Social Organisation' refers to the fact that very seldom the word Vessa (vaiśya) occur in the Jatakas and when it occurs it seems to have been used only in connection with theoretical discussions, and not to mean by any existing social unit or group. "A caste, in the sense of the Brāhmaṇical theory, the Vaiśyas never became even in the western Brāhmaṇical lands" says Fick.[384] Originally, in the oldest Vedic age, a name for the class of cattle breeding and land cultivating Āryan settlers, it served later the purpose of the theorising Brāhmaṇas to bind together the unlimited number of social groups.[385]

If any social division of our period corresponds to the traditional Vaiśya order and has a similar meaning, it refers to the Gahapati or the householder mentioned in the Buddhist texts. The Jātakas

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380 Macdonell & Keith, Vedic Index, Vol. II, p. 333.
381 Vol.I, pp. 152, 470 ; Vol.II, pp. 124, 241.
382 I.22-3 (Vinaya Piṭaka ed. Oldenburg, Vol.I, p.35).
383 Uvāsagadsāo, pp. 45-6.
384 Op.cit., p. 252.
385 Macdonell & Keith, Vedic Index, Vol.II, p.333-5.

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make us quite familiar with the gahapatis. In these gahapatis, we can see the land owning and mercantile class ranking below the Kṣatriya and the Brāhmaṇas. The Gahapatis had their own importance and played a significant part even in the court of the king.

Like the Kṣatriyas and the Brāhmaṇas, these Gahapatis also seem to have distinguished themselves from the great mass of the people by a certain consciousness of position and perhaps also by their pride in their higher descent. There was also a custom as revealed in the Mahāvagga[386] that the Gahapati parents would bring for their grown-up son a girl of good family, of their own class. We shall see also that the Gahapatis, at least the richer section of it represented by the Seṭṭhis, devoted a part of their life to study and sometimes in old age became homeless ascetics in common with the other classes of the people. Moreover, the Jāti or caste of a Gahapati seems to have been hereditary, for though ruined through the loss of fortune and compelled to maintain himself on ignoble professions, a gahapati still remains a gahapati. The Jātaka[387] bears instance of one such Gahapati who seems to have dealt in vegetables, and fruits. In one Buddhist Jātaka there is mention of another poor Gahapati who maintained himself and his mother with difficulty by working as a hired labourer.[388] The Jātakas[389] state that the two higher classes, the Gahapatis and the Seṭṭhis had deep contempt for the low-caste people. But it would be wrong to say that the term Vaiśya or in Pāli = Vessa was merely applied to the people who were not nobles or priests. It might have been an early appellation of a definite class which was separate from other classes. Though there were differences

386 I.7.7.
387 III, pp. 21 ; also IV, p. 446.
388 II, p. 139 ; also III, p. 325.
389 IV, p. 378.

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among Vaiśyas there were similar differences among Kṣatriyas and Brāhmaṇas and it appears impossible to deny the Vaiśyas claim to be reckoned a class or caste if the other two have such differences.

Megasthene's, observation about the husbandmen who remained unmolested even at time when war had been actually going on in the neighbouring areas[390] reminds us about the unique principle of ancient Indian welfare which the belligerant armies used to observe. In ancient times non-combatants went generally unmolested to which Megasthenes bears testimony. It has been stated in the Bhiṣmaparva[391] of the Mahābhārata that certain norms of war were agreed upon between the Kauravas and the Pāṇḍavas such as one should fight only with a similarly equipped opponent ; one should not kill a soldier who has already been engaged with another or who expressed his reluctance to continue the war. Manu[392] however, allows a king to harass his enemy's country which no doubt includes even the husbandmen while Medhātithi[393] advises the invader to save his enemy's people particularly the Brāhmaṇas. What Manu wants to suggest by using the expression "to harass the country's enemy" does not appear to be clear since the "enemy's country" not only includes the husbandmen but also entire population including the soldiers. The Buddhist text also bears evidences where certain norms appeared to have been prescribed regarding the field labourers who were not supposed to be party to war and hence were spared by the rival armies while waging war against each other.[394] It appears that in ancient time there had been no hard and fast rule about the warfare where the enemy's destruction might have been the primary consideration. The norms of warfare might have been codified later in view of the consideration that if the tillers of soil were once involved in war and died in the battle field, the whole country including the armies, who were supposed

390 Fragm. I. p. 32. 391 1.27.32. 392 VII. 32.
393 VII. 32. 394 I.H.Q. Vol.I. p. 369.

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to be the actual combatants, would die due to the shortage of agricultural food products. It seems that the consideration for safeguarding the interest of this class played behind formulating certain norms of warfare. It would seem, then, that Megasthenes's remark appears to have surprassed the norms prescribed in the Epic. His famous account of the soldiers' indifference to the farmers, like the farmers' indifference to the soldiers in Alexander's battles may be true but the epic custom was to destroy the enemy's land and crops. The na Sasya ghātah rule[395] does not seem to be applicable to the enemy's land.

Megasthenes further informs us that the tillers of soil were required to pay one fourth part of the produce of the soil as a tax in addition to the rent. It seems that a small poll tax symbolised as a love offering tax might have been customary besides the tax on produce as a survival of the original free bali or offerings. This love-offering tax might have been a later addition to the regular tax without thought of the antiquity of custom. At any rate, the love tax seem to have been a common feature in the Epic period and was given by every body including those not liable to taxation i.e., the priests. For love's sake, the priests. the warriors, the men of the people, the slaves the barbarians all the folk high and low used to bring tribute to the king. Megasthenes probably was not informed of this custom and he might have considered the love paying tax as a rent to be paid by the cultivator to the king and hence the confusion arose between the two types of taxes. Arrian[396] does not throw any light as to the ownership of land but simply refers to the payment of tribute which was required to be paid by the tillers of the soil Siculus[397] holds identical view. But Strabo[398] does not make it clear

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395 Xii. 103.40. Cf. J.A.O.S. Vol.13, p.89.
396 Arrian. XI. Cf. Majumdar, The Classical Accounts of India, p. 225.
397 Diod. 40, Cf. Majumdar, The Classical Accounts of India, p. 237.
398 Strabo. 40. Ibid., p. 264.

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about what he indicates by referring to the expression "farmers cultivate it for rental in addition to paying a fourth part of the produce" whether the tillers were required to cultivate the soil in lieu of getting wages as a mercenary tillers or they themselves were supposed to pay the fourth part of the produce of the soil to the king as the proprietor of the land requires further explanation. One plausible explanation may be derived from Strabo's contention that if the lands belonged to the king, then the king might appoint them on a temporary basis on condition that the farmers would pay one fourth part of the produce of the soil to the king. They were probably required to pay one more type of tax while taking charge of the land for cultivation which Arrian and Siculas have mentioned as tribute as a token of love and reverance to the king which Strabo has referred to as rent. The authority of Megasthenes would induce us to believe that the agriculturists held the land as tenants of the king and that the rent goes into the royal treasury besides the payment of a fourth part of the crops as tax. Except on the principle of the Hindu proverb that 'the cow belongs to the calf, the cowherd, the owner and the thief, but he that gets the milk seems to be the real owner.[399] This proverb does not seem to be tenable since it does not have resemblance with the system prevalent in India when Megasthenes notices it. It seems that Megasthenes was misinformed in respect of land ownership and taxes or that he speaks of a small part of the land where such custom prevailed or writes of times different from that represented by Epic didactic poetry.

Whether the lands belonged exclusively to the kings or to the tillers of the soil seems to be a very problematic question on account of the fact that the question relating to the ownership appeared to have been

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399 XII. 174.32.

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discussed from ancient times although there existed two opposite views. Jaimini[400] states the proposition that in the Viśvajit sacrifice[401] even the emperor could not make gift of the whole of earth of which he may be deemed to be the ruler since the earth belongs to all men i.e., to the sovereign as well as to those who cultivate. Śabara[402] elaborates this view by adding that others have as much right as the king, that the king was supposed to be entitled to a share of the crops produced by the earth as his since he was required to protect them. Not only kings and the peasants but also those who were supposed to be directly attached to the land or any other persons connected with the soil were regarded as having the right to the earth and hence kings were not supposed to be the owners of the lands. This view also seems to have been referred to by Vyavahāramayūkh which concludes that the emperor was not expected to part with the whole earth a province and a province by a feudatory chief. The ownership in the several villages and fields on the entire earth probably belonged to the holders of the land alone while kings were entitled to collect taxes. Therefore gifts made by the kings were considered no gifts of land.

According to another view the king was supposed to be the owner oand the subjects were only the occupants. This latter view seems to have been adopted in modern times by the Government of India. The commentary Mitākṣarā on Yājñvalkya smṛti[403] states that the words of Yājñvalkya imply that the privileges of making gift of land or of a nibandha may be supposed to have belonged only to the king and not to the other subordinate state officials.

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400 VI.7.3. 401 Where the sacrificer seems to have donated everything that belongs to him.

402 VI.7.3. 403 1.318.

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From Manu and other Smrtikaras it appears that so far as lands already brought under cultivation were concerned the partnership of the land belonged to the cultivators and the king was supposed to be entitled to levy taxes for the protection he was required to provide. The same text[404] refers to the kind who were entitled to make a fiftieth part of cattle and gold and a sixth, 8th or twelveth part of the crops and sixth part of trees. In another passage of the same text,[405] Manu allows the king to raise his demand in times of emergency to a fourth part of the produce. He[406] further states that a field belong to those who uproots the stems of trees and shrubs from waste or uncultivated land. Manu[407] further provides that in ancient treasure stroves found underneath the ground and in mines, the king appears to have a share only on the ground, because he affords protection as lord of the earth. This militates against the view that king may be considered as the owner of all lands. If it were so, Manu would have declared that the king took all the mines and treasures found in a cultivated field. On the contrary, Manu prescribes a fine for those who did not cultivate the field at the proper time or allowed the crops to be eaten up. The measure of imposing fine by the king on the recalcitrant peasant does notconfer upon him any right to the land, it was a measure intended only to stop any loss of revenue. All these passages of Manu probably indicate that arable land was to be in the hands of the cultivator and the king was only entitled to demand certain share of the produce since this was one

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404 VII. 130-132.

405 X. 118.

406 IX. 44.

407 VIII.39.

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of the three sources of income of the king. According to the Śānti-parva[408] of the Mahābhārata and Śukra[409] the three sources were supposed to be (1) the king's share of the produce of land (2) tolls and customs duties and (3) fines realised from wrong doers or defeated litigants.[410] It also appears from these sources that the principal tax payers were agriculturists, traders, manual workers and artisans.[411] According to the Smrtis, the ordinary share of the king was one sixth but in the case of danger of invasion or similar calamity the king was allowed to raise it to one-fourth. Megasthenes says that no person was permitted to own land and that besides the land tribute, people were required to pay into the royal treasury a fourth pa rt of the produce. This shows that the tax on land was very heavy during the time of Candragupta. This probably was due to his wars waged in order to drive away the Greeks and the maintenance of huge armies that he had to employ. Strabo was of opinion that the entire land belonged to the crown but it does not seem to be convincing. Siculus makes it clear when he refers to the payment of tribute to the king.

The statement that the king holds all the lands as his own was apparently derived from the fact that the king might distributed the land to the people as his choice. Still, practically the ownership of land seems to have been vested in each hereditary occupant, his right was probably secured by title and boundary disputes were settled by careful surveys. No tax seems to have been levied on land. In fact no rent does not appear to have been paid by the occupant. All the taxes prescribed by the law books and the epic were probably assessed on the basis

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408 71.10. 409 IV.2.13. 410 X.119-120.

411 Kane, History of Dharmaśāstra, Vol. III, p. 191.

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of increase in the year's stock and a part of this was required to be paid as tax to the king. But such tax nowhere appears to have been implied as rent for the land. The fourth part evidently declared by Megasthenes as the share of the king contradicts the statement prescribed by the law books and the Mahābhārata that the proportion of grain to be given to the king was one-sixth. This was why the king was called by Kauṭilya[412] as Saḍbhāgin.

Megasthenes,[413] while referring to the third order of his seven castes, includes those who were the herdsmen and hunters. They used to lead a nomadic life in jungle and on the hills and were required to supply a certain portion of their cattle to the cities as tribute. They also used to get a price of supplying animals a grant from the king. Arrian[414] and Diodorus[415] while describing the features of the third order holds almost similar view like Megasthenes but excludes hunters from the descriptions given by Arrian and Diodorus. Arrian however justifies the nomadic nature of both the sheperds and neatherds indicating that they were deeply devoted to the persuits of collecting fowl and wild beasts. Siculus goes further and says that by hunting and trapping they used to clear the country of noxious birds and wild beasts which devoured seeds sown by the husbandmen. Strabo,[416] however confirms Megasthenes and refers to the fact that the shepherds and hunters were given as a reward proportionate quantity of grains for freeing them from wild beasts but curiously enough neither Arrian nor Siculus refer to this system which Megasthenes and Strabo have mentioned.

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412 S. Sastri, Arthaśāstra, p. 101.
413 Megas. Frags. 35 and 36.
414 Arr. Indi. 11 f.
415 Diod. 40 cf. Majumdar, The Classical Accounts of India, p. 237.
416 Strabo XV, C. 703 V.

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As we all know that herdsmen and hunters referred to by Megasthenes, shepherds and neatherds mentioned by Arrian and Siculus did not form any caste but the description of the persons given by them with regard to the features of such persons, appear to be very interesting since the nature of those people do not tally fully with the descriptions found in Indian literature pertaining to the third caste. Megasthene's description about the nature of habitation of herdsmen and hunters refer to the system prevalent in ancient India about the classification of lands specified for different purpose of the state through which lands were required to be classified for different settlements of the state. Some of these lands were however specified for dwelling purpose for a special class who in return used to render certain assistance to the state. The lands in ancient India were supposed to have been classified as the forest land pasture or grazing ground and cultivated area. Kauṭilya[417] also refers to such division while discussing the classification of lands. The forests might probably be much more extensive than the present days and they usually comprised relatively inaccessible tracts inhabited by wild unsubdued tribes and others who were within the reach of the administration. These regions were however visited by trappers and hunters and were reserved as elephant grounds and state hunting grounds and also sometimes used for making parks and Brāhmaṇa settlements. It seems that on the Paccanta[418] which appears to have been classed as the country i.e. Janapada[419] by the side of which lay its Khetta or pasture or grazing ground also probably included large spaces. From the Jātakas we further learn that these large spaces

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417 Arthaśāstra, Chap. II, translated by R. Shamasastry, p. 48.

418 Jātaka, I. 215 ; cf. V. 46.

419 Ibid. 318.

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might be regarded as supplementary grazing pastures[420] of herds of cattle[421] and goats.[422] Kauṭilya,[423] while giving a graphic description of the villages refers to the term vivīta which means grazing ground for village cattle. These large supplementary grazing spaces were probably occupied by tent dwelling ranchers[424] who were supposed to be the descendants of the Vedic tribes.[425] Kauṭilya[426] further refers to the ranching class as the Vaiśya who seems to be connected with the cattle. Manu[427] also holds an identical view. In the Śāntiparva of the Mahābhārata[428] Bhiṣma, while enumerating the duties of the four castes, states that cattle rearing was one of the duties prescribed for the Vaiśyas. The ranching class, as Megasthenes might have indicated, used to reside in a more restricted area in the neighbourhood of villages which had definite boundaries represented by the forts of ancient times. Within the village there seems to have been small settlements named Ghoṣa which probably formed the headquarters of the ranching class to whom commoners entrusted their animals. This region was also considered restricted areas in the vicinity of the villages which appears to have been walled. From the Jātakas[429] we learn that the ranchers were supposed to pen their herds at night in the cowpen, built for providing shelter for the cows. In the ṚgVeda[430] the expressions Gopā and Gopāla were used to meant protector of cows.

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420 I. 388. 421 Ibid. III, 149 ; IV. 326

422 Ibid. III, 401.

423 Arthaśāstra, Book II, Chap. 35 ; III. 10.

424 Megasthenes. I. 47. 425 Hopkins, J.A.O.S., Vol.XIII, p.79-80.

426 Chapter IV, Kautilya's Arthaśāstra by R. Shama Sastry, p. 7.

427 VIII 88 and 410. 428 I.329 ; III, 149.

429 350. 430 i. 164, 21.

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Along with this Ghosa and on a par with it there existed the small habitat called Pallī. The radical difference between the Ghoṣa and grama appears to be that the former could be considered as an outpost from a city or village and a cowpen developed into a ranche and hence a village was protected by the addition of a fort after it had become a centre of population. The latter probably presupposes a durga or fort of somekind as its nucleus. The meaning of the word Ghoṣa[431] seems to be the place where roaring of animals is heard. In the Mahābhārata[432] the Ghoṣa has been described as the station of herdsmen. Megasthenes probably refers to those ranchers whose duty it had been rearing up of cattle and pastoral persuits and they were supposed to dwell in the Ghoṣa. In the RgVeda[433] Paśu-pa denotes herdsmen i.e. those occupation was rearing of cattle was however the duty meant for the third caste prescribed the Indian literature. According to the Aitareya Brāhmaṇa[434] Vaiśyas were entitled to rear cattle besides having other duties such as agriculture (1) Kṛsi) (2) trade (Vipaṇi Karma) (3) Commerce (Vānijya).[435]

Megasthenes' comment regarding the payment of tribute to the sovereign in the form of supplying cattle to the cities does not appear to be without any justification in so far as it relates to the payment of tribute and thereby submitting unconditionally to the authority of the king. If we turn back to the earliest Vedic records we would find that the tributes paid to the king had been but a voluntary offering as would be apparent from the word 'bali' used metaphorically in the Atharva-Veda[436] and also in other texts such as a Taittirīya Brāhmaṇa,[437] Kāṭhaka Saṃhitā[438] and

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431 Monier Williams, A Sanskrit-English Dictionary, p. 378.
432 IV. 1152. 433 i. 114.9 ; 144.6.
434 VII. 29. 435 R.K.Mookerji, Hindu Civilisation, p.195.
436 VI.117.1 437 i.2.3.2. 438 XXIX.7.

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Taittirīya Upanisad[439] in the sense of a tribute. But later it was found that the tax would be forcibly realised. The Aitareya Brāhmana[440] appears to show that the people caste which includes majority of the population formed a class by itself. They were meant mainly for the purpose of being levied taxes upon because the kings used to oppress the people and the king and his retinue were fed by people's contribution. The commoners from whom the king used to realise taxes do not seem to have belonged to any fixed profession. The priestly class appears to have formed the bulk in undivided whole except for the family priest. The warrior caste except for plutocratic distinctions, and the special ability acquired by special members in special acts of Warfare was also a political unit. The slave caste consisted of so many reckoned as slaves. But not so with the people caste. Here we have a class within caste in three well organised bodies radically different in their occupations and social status. These three bodies met indeed, on the common basis of their being Āryas or those who were held as pure. But for all that all those who had been claimed as Āryas were not one body with like aims and needs. Their three subdivision were as follows. First, the great body of ranchmen in whose fold we see the cattle raising population along with their dependents such as herdsmen and cowboys. Next, the agriculturist or farmers who raised grain and their smaller imitators, who raise fruits and vegetables. Lastly, the whole trading population whether on sea or land continually having

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440 Vii. 29 ; Viii.12.17.

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intercourse with foreign traders whether travelling around the country in caravans or located in town. Besides these three divisions, there seems to have been a continuous flow of smaller similar occupations, which were formerly declared unfit for Aryans, but were later drawn into fold of people caste. Perhaps money lending business was despised earlier but it was gradually accepted by the people belonging to the twice born class. The whole mass who adopted the profession of mechanics, artisans, carpenter, peddlars and the like were able to make incursions into the fold of the people class and were no longer treated to be belonging to a lower order. The line of demarcation which seems to have prevailed between the Aryan and un-Aryan was crossed by the former and such process of commingling between the two, it seems had begun at a very early age.

The duties of the third or people caste had no definite limits. The humblest tenders of cows might belong to their class or the work might be done even by the people belonging to the outside of Aryan rank. The priest and king were supposed to share the gain of the profession and normally intruded on the emoluments theoretically set apart for the people caste. The payment of tribute by herdsmen and hunters as noticed by Megasthenes and corroborated by Arrian, Diodorus and Strabo appears to be correct since the payment of tribute indicates unconditional surrender to the authority of the king and this was paid in kind by the merchants also. But the second part of the Greek ambassador's statement in which he says that "they also received in return of their services a grant of corn from the king" seems to be highly inconsistent when it involved the payment of tribute to the sovereign. The latter does not seem to be under any obligation to repay them since the king was supposed

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to be the recognised authority to receive tribute. It seems that Megasthenes had confused between the two types of ranchmen i.e. one class of which might have come to the king for payment of tribute and they appear to have been engaged in the ranching profession and the other class probably had sold cattle and in return received grant of corn from the king.

Megasthenes probably indicates that the barter system as a medium of transacting business was prevalent in ancient India. It seems that while exchanging commodities, movable properties could change hands either by way of gift or by sale. In the latter case transaction might be enacted by barter. The expression Prati-paṇa has been found in the Atharva-veda[441] denoting barter. The same text[442] refers to the Pre-paṇa which bears the same meaning. The term Paṇa carries the meaning indicating barter.[443] The standard of value appears to have been the cow, and no coin seems to have been known though the origin of currency might be seen in the references to niṣkas. The niṣkas was originally an ornament in the shape of necklace of gold or silver. At a later date the name was transferred to a coin. In a considerable number of passages of the Śatapatha Brāhmaṇa[444] and in Pañcaviṁśa Brāhmaṇa[445] however the expression hiraṇyaṃ śata-mānaṁ suggests there might have been some other[446] standard of exchange than coins.

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441 iii.15.4. 442 Xii. 15.4.5.

443 Monier William, A Sanskrit-English Dictionary, p. 580.

444 xii.7.2.13 ; 9.1.4.

445 XViii.3.2.

446 Macdonell & Keith, Vedic Index, Vol.I, p. 196-97.

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Gradually the ancient system of barter and reckoning values by cows or by rice measures had been replaced by the use of metal currency. In the Jātakas[447] we find that barter had been resorted to in certain contingencies as for instance a wanderer had obtained a meal from a wood lander in exchange for a gold pin although there exists no trace in the varuni Jātaka[448] to justify that barter was normal. In the same text[449] further we find that among humble folk, a dog appears to have been purchased for a Kahapaṇa along with a cloak. Barter was permitted in special commodities by the law books ascribed to Gautama[450] and Vasiṣṭha[451] and the Cullavagga,[452] seems to have prescribed barter in some cases for the Saṃgha. The same text[453] further appears to have forbidden the use of money by the members of the Saṃgha. Moreover, the Jātaka[454] reveals that rice had been used as a standard measurement when the Jātaka books were compiled.

The cattle rearing appears to have been the primary means of livelihood for the Ranchers. Sometimes they are found to have been engaged in the cattle lifting as it appears evident from the Mahābhārata. The importance of cattle breeding which often meant also cattle lifting seem to have been mentioned in the Mahābhārata. It may be probable that in early times where agriculture was not much practised and when merchants were few, the masses of people as such were employed as ranchmen who used to tend cattle. At the time of the Epics they seem to have become partly

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447 VI.519.
448 I.251.
449 II.247.
450 VII.16 f.
451 II. 37 f.
452 V.VI.19.
453 V.XII. 1 ff.
454 I. 124 f

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cattle raisers and partly farmers. Gradually the occupation of ranchman proper had fallen into the hands of barbarians who could not understand Aryan speech. In the Mahābhārata[455] Duryodhana went to see his herd of Cattle in Dvaitavana. He heard the music and watched the dancing of the cowherds. In the Virāta-parva[456] of the Mahābhārata, the king of the Matsya country goes out into the country to enjoy a royal picnic on the occasion of 'cattle branding' when the ears of the cattle were marked for the year. Here, however, the barbarians were shown merely as cowboys who were in charge of royal cattle. It was on this occasion that cattle appear to have been lifted. Such cattle lifting was fairly common. The Mahābhārata[457] further informs us that these cowboys and herdsmen were paid in kind (in the shape of cows or their milk for tending their herd according to the number of cattle tended by each. The branding and tending of cattle seem to have developed into almost a science in the Epic days. Sahadeva, who took service under king Virāta as a tantipāla describes how under his fostering care cows multiplied in a short time and were supposed to be freed from disease.[458]

This change from one occupation to the other does not seem to be uncommon. In fact the traditional scheme of grouping occupations into four castes with some modifications was accomodated in accordance with the changed attitude towards the status of these groups. Thus Yājñvalkya allows a Śūdra in case of necessity to engage in trade which was regarded as the sole preserve for the Vaiśya. Agriculture although was the sole occupation of the Vaiśyas yet it was considered a proper occupation for the Śūdra when the Vaiśyas were gradually replaced by the

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455 Cr.Ed.111, 229,1-13.
456 IV.10.1.
457 XII.60.25.
458 Cr.Ed.IV.9. 8-13.

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nobles and became tenants to the land. Further it was more and more regarded as a suitable occupation for all castes. Nevertheless, Manu, as usual represents the more-orthodox view. Observing that some regard agriculture as an excellent occupation, he contends that it was blame-worthy on the ground that the plough might cause injury to the tiller and destroy living organisms.[459] There exists some indications that the ideal occupations prescribed for the four castes were not necessarily followed by them. The Brāhmaṇas particularly seems to have taken too many of the occupations that were either entirely forbidden to them or allowed only in straightened circumstances. This seems to be the only plausible inference that we can draw from the long list supplied by Manu[460] regarding unholy occupations followed by many Brahmins who were not to be invited to a Śrāddha dinner. Cārudatta, a Brāhmin by birth has been represented in the Drama Mrcchchakatika as following the occupation of a Vaisya.[461] Harsavardhana a king of Kanauj according to Hieun Tsang was a Vaisya[462] while the Kadamba rulers of Vanavāsi were Brāhmaṇas. The third order which Strabo[463] refers to, appears to have a striking similarity with what Megasthenes has described while referring to the third order of his seven castes. Strabo further informs us that the herdsmen whom he calls as shepherds and hunters were supposed to receive proportionate allowances of grain from the king in return for clearing the lands for cultivation from the wild beasts and seed picking birds. It seems that Strabo's observations referred to two separate classes as it appears clear that the first part of the sentence relates to the trading

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459 X.84. 460 iii. 150-66.

461 The Little Clay Cart - translated by A.W. Ryder, 1905, pp. 138, 151.

462 S. Beal, Travels of Hiouen-Thsang, Vol.II, p. 236 (1958).

463 Majumdar, Classical Accounts of India, p. 264.

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class whom Megasthenes[464] describes as the 'giver of tribute'. The second part of Strabo's description where it deals with the killing of wild beasts and birds probably refers to what Arrian has referred to, indicating that the herdsmen 'score the country in persuit of fowl and wild beasts'. Siculus[465] however justifies Strabo's statement and says that 'they are bringing India under cultivation' since birds devour the seeds sown by the husbandmen.

From the observation of Strabo, we find that those who appear to have been engaged in selling animals would receive the same quantity of grain as those who are supposed to have engaged in clearing the fields from the noxious birds and wild beasts. But the fact does not appear to be such, since ranchmen sometimes are found to have acted as cattle raisers. These cattle raisers sometimes used to sell cattle which they collected from the field as a part of their profession. Strabo ~~also~~ probably was also confused like Megasthenes and could not properly identify one section with the other.

We further learn from Strabo that the hunters whom he probably takes to be a separate class since it reveals from the emphasis given on one sentence by him 'who alone are permitted to hunt' does not seem to be correct on account of the fact that by hunters Strabo probably indicates a class whose persuit of life had been hunting. But those who are meant

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464 Megasth. Fragg. 35 and 36 = Arr. Ind. 11 f, Strabo XV,C, 703 V. inf. Chapter XIX. cf. Majumdar, Classical Accounts of India, p. 237.

465 Ibid., p. 237.

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by Strabo as hunters were not in fact hunters in the real sense but were ranchers some of whom might have resorted to hunting either for saving their herds or for cleaning the cultivated land from the beasts as a subsidiary occupation.

No private person was entitled to keep either a horse or elephant as it appears from the accounts of Strabo.[466] The expression Ibha although its meaning is doubtful may be found mentioned in the Taittirīya[467] and Vājasaneyi Samhitās,[468] and especially in the RgVeda.[469] According to Roth[470] and Ludwig[471] Ibha included not only dependants and servants, but also the Royal family and the youthful cadets of the chief families. The commentators of Sāyana[472] on Taittirīya and Mahīdhara[473] on Vājsaneyi Samhitās, the Nirukta[474] too gives elephant as one of the meanings of the word. Megasthenes and Nearchus tell us that elephants were a royal prerogative and the derivative word Ibhya may thus be naturally explained as denoting merely rich (literally possessor of elephants). The king had also monopolies in certain matters. He alone could catch elephants. Kautilya in his Arthasāstra[475] and the Mānosollāsa[476] seem to have dealt with this matter, the latter describing several methods of catching elephants. Medhātithi writing on Manu[477] says that kings have a monopoly as to elephants because the animals are most useful to the royalty and he

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466 Majumdar, Classical Accounts of India, p. 264.
467 i.2.14.1. 468 xiii.9.
469 i.84,17 ; iv.4.1,1 ; ix,57.3.
470 St. Petersburg Dictionary, S.V.
471 Translation of the RgVeda, 3, 246, 247.
472 i.2.14.I. 473 Xiii.9. 474 Vi.12.
475 II.31-32. 476 II.3, pp.44-58. 477 VIII.400.

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specifies certain monopolies such as those in Saffron, Silken cloth and wool, horses, pearls and jewels. Megasthenes[478] states that a private person was not allowed to keep an elephant or a horse and that those animals were held to be the special property of the king. Strabo has also referred to this fact.

Megasthenes refers to another class of people besides the herdsmen whom he calls hunters. If the features of the herdsmen described by Megasthenes were identical with the third caste i.e. the Vaiśyas of Indian literature, the obligations of the Vaiśyas do not include hunting since hunting although appears to have played a considerable part in the life of the early Indian, it did not form the chief source of livelihood for any of the Vedic tribes. Pastoral persuits and agriculture (Kṛsi) were probably the mainstay iof their existence. But later hunting was occasionally indulged in as a pastime and sport by the members of the Rājanya class. That Rājanya class was supposed to be very fond of hunting seems to have been referred to in the Mahābhārata[479] where hunting appears to be the chief recreation of kings. The kings too used to derive great delight in hunting deers and tigers with their swords. Lions were hunted with the help of dogs, and this has been attested by Aelian[480] and has also been referred to in the Epics. But it would be unreasonable to suppose that much hunting was done by the persons other than the Rajanya class. Rather hunting by people other than the rājanya (more) was done for the purposes of procuring food as well as for protection of flocks from wild beasts than for pleasure. Kautilya[481] while referring to the

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478 Frahm. XXXVI. p.90.

479 VI. 407.

480 Book. IV.C. XIX.

481 II.34.1.29.

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agricultural system of India enumerates different classes of officials appointed by the king and includes in the list of officials those who were known as Lubdhaka and keepers of hunting hounds. They were probably appointed to keep the pastures free from wild animals and beasts of prey. The RgVeda may be regarded the chief source of information in regard to hunting. The expression Mṛgayu occurs in the Atharva-veda[482] as well as in the Vājasaneyi Saṃhitā[483] and also in the Taittirīya Brāhmaṇa[484] and this indicates the existence of hunters. The Vājasaneyi Saṃhitā[485] and Taittirīya Brāhmaṇa[486] include number of names which refer to those persons who were supposed to earn their livelihood either by fishing or by hunting. The names of those were such as the Māgāra which means hunter, the Kaivarta or Kevarta Paunjistha, Dāsa, Maināla i.e., fishermen and perhaps the Vājasaneyi Saṃhitā[487] and Taittirīya[488] classed Bainda and the Anda as fisherman.

Amongst the instruments which were required to be employed in the course of hunting, the RgVeda[489] suggests that arrow was used by the primitive men. The usual instruments of capturing animals were nets and traps. The text[490] further suggests that birds were regularly caught in nets which were termed as Pāśa and it seems that the expression Pāśin meant hunter and the latter expression probably has been derived from the former. The RgVeda[491] and the Atharva-veda[492] further supply the information that Nidhā and Jāla were used as nets for catching birds.

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482 X.1.26.
483 XVI.27, XXX,7.
484 i.5.1,1.
485 XXX.
486 iii.4.
487 XXX.16.
488 iii.4,12.I.
489 ii.42,2.
490 iii.45,1.
491 IX.83.4 ; X.73,11.
492 X.1.30.

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From the RgVeda[493] we further learn that those engaged in catching birds were called nidhā-pati, i.e. master of snares. It may however be said that in the RgVedic society, hunting appears to have been an important source of subsistence. It was during this phase that a large part of the population was employed as ranchers for tending cattle.

It appears from the description of Megasthenes that he intends to indicate the existence of two separate classes among those people i.e. the ranchmen and hunters. He appears to have classed them in his third order but it (appears) evident from the RgVeda[494] that the ranchers were required to be armed with goad i.e., with Paviravan while grazing the cattle. The expression Pavīravān derives its root from the word 'Pavī' which means a weapon with metallic point or lance.[495] The Nirukta[496] of Yāska used the word in the same sense. The RgVeda further suggests that the word Pavīravān used by the ranchers as Āyudha or Astrā was the significant mark of a Vaisya. The weapon was meant probably for driving the cattle into the cowpen at night and sometimes the weapon was used for protecting the herds and flocks from the attack of the wild beasts. The herdsmen might also take resort to hunting when their earnings as ranchers could not meet their needs, and for which they resorted to hunting as a subsidiary means of occupation apart from tending cattle, and this was the cause of the confusion which arose in the mind of Megasthenes and other classical writers.

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493 IX.83.4.

494 X.60.3.

495 Monier William, A Sanskrit English Dictionary, p. 611.

496 XII. 30.

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Megasthenes[497] goes on describing as usual the fourth order of his seven caste and includes in it artisans, traders and boatmen who were supposed to pay taxes to the king. He further informs us that those who were engaged in manufacturing implements required to be used in war were exempted from payment of taxes. On the contrary, they were supposed to receive subsidy for manufacturing these implements from the royal exchequer.

Siculus[498] also includes the artisan class into his fourth order like Megasthenes and describes the duties similar to what Megasthenes has referred to. Arrian[499] like Megasthenes also narrates about Indian castes and refers to the handicraftsmen and retainers as having formed the fourth order of his seven castes.

Strabo's[500] description tallies with the description given by Megasthenes, Arrian and Siculus who do not however refer to the services prescribed by the state for the day labourer while Strabo has incorporated it in his account. The artisan, traders and boatmen whom Megasthenes has placed in the fourth order of his seven caste. But they do not seem to have formed any particular caste according to Indian literature. Occupations did not determine castes in its first original state. Instead an ideal theory of castes had been laid down prescribing certain duties as common to all of them and some as specific to each. Out of these some were prescribed as the authorised modes of gaining livelihood and were generally peculiar to each caste and ordinarily forbidden to others. The Brāhmana was required to subsist

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497 Frags. Megasth. 35 and 36.

498 Frag. Diodorus 41 Cf.R.C. Majumdar, Classical Accounts of India, p. 237.

499 Frag. Arrian. XII. Cf. R.C.Majumdar, Classical Accounts of India, p.225.

500 Frag. Strabo 46. Cf. R.C.Majumdar, Classical Accounts of India, p. 267.

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on teaching and officiating as priest at the sacrifices of the other castes, which were entitled to offer such religious acts and by accepting gifts. The Kṣatriya was to live by administration and the profession of arms. Agriculture and Pastoral persuits were to be exploited by the Vaiśya while one occupation prescribed for the Śūdra was the service of the other castes. In times of distress one might follow the occupation enjoined for the lower orders but the people of lower order were never allowed to take up the occupation meant for the higher caste and preferably the one prescribed for the caste next in status to one's own. The later theory which appears fully developed in the Gautama-dharma-sūtra which has mention of several castes other than the original four developing out of the intermarriage between different castes. This theory had no support in the early-Vedic literature. The Sūta seems to be a mixed caste of this kind. If the sūtas did not form a caste, it had evolved due to the occupation. But there is no evidence to prove that the Sūtas, Grāmaṇīs and other members of different occupations were really castes in the sense that they were endogamic in the early Vedic period. All that can be said is that a steady progress by which caste after was formed, occupation being an important determining factor, just as in modern times Gopāla (cowherd), kaivarta or Dhīvara (fisherman) and Vaṇij have come to be regarded as castes.[501] A few occupations however like that there of the carpenter, the charioteer and the bard seems to have been assigned to some of the mixed castes that were supposed to have sprung as a result of the mesalliance between the four castes. Kauṭilya seems to have allowed the persons belonging to mixed castes in addition to their specific vocations or in case there remained any doubt in finding out their proper callings, they were taken up as Śūdra.[502]

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501 Bühler, S.B.E., 14. XXXiii, XXXiX.

502 Arthaśastra, i. p. 165 Cf. G.S.Ghurye, Caste and Race in India, p. 75.(1932)

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It will be noticed that the theory of occupations as proper persuits of specific caste did not accommodate artisans. It does not necessarily prove that there were no artisans in the society but their status does not seem to have been specified. Indeed Gautama distinguishes the artisans from those who lived by personal labour, the latter expression being understood by the commentator to denote labourers like Carriers[503] whom Sfrabo[504] has referred to. Mr. Fick[505] finds in the Jātakas mention of a number of occupations whose member did not form part of any caste at all, such as the attendants on the court, the actors and the dancers who went from village to village and the wild tribes that lived in the mountains, fisherman, hunters and so on. In Vedic times these people were supposed to have fallen under the conception of Sudra and might have included Parnaka, Paulkasa, Ḅainda who were mentioned with many others in the Vājasaneyi Saṃhitā[506] and the Taittirīya Brāhmaṇa[507] in the list of victims at the Puruṣamedha. The occupations of different members whom Mr. Fick[508] has referred to were probably included in the term Śūdra.

Mr. Fick[509] also denies that Sudras ever formed a single caste, he regards the term Śūdra as covering numerous inferior races and tribes defeated by the Āryan invaders, but originally as denoting only one special tribe. It seems reasonable to suppose that the name Śūdra was given by the Vedic Indians to the nations opposing them and that these were ranked as slaves by the side of the three Āryan castes

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504 Majumdar, Classical Accounts of India, p. 268.
505 Social Organisation translated by S. Maitra, p. 184.
506 XXX.16.
507 iii.4.12.1.
508 Op.cit. p. 197.
509 Op.cit. p. 202.

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namely the nobles, the priests and the people. The Buddhist and Jaina texts also seem to have declared the Kṣatriyas to be superior to the Brāhmaṇas and named the Kṣatriyas first in enumerating the four castes. Thus, although the general framework of the caste system appeared to have been admitted by the Pali texts, the supremacy of the Brāhmaṇas does not seem to have been acknowledged. This view probably had been supported by the Mahābhārata. When Kauṭilya prescribes certain occupation for the people belonging to mixed caste, it may be reasonable to hold that the artisans, traders, and boatmen, whom all the classical writers including Megasthenes have incorporated in the fourth order. Their castes were probably determined by the occupations which were prescribed for the Śūdra caste of Indian Literature. In fact crafts were so much advanced that pure artisans, who did not deal in those handi-works were distinguished from artisan traders. Kauṭilya[510] fills in the gap by assigning to the Śūdra, in addition to his usual duty of service, the work of artisans and court bards. He also allows him to engage in agriculture, trade and pastoral persuits.

Sudra seems to be the designation of the fourth caste in the Vedic state. The term Sudra does not appear in the ṚgVeda except in the Puruṣasūkta[511] of the tenth-Maṇḍala where the words brāhmaṇa, rājanya, vaiśya and sudra occurred the first time. The text of the ṚgVeda knows of the Dasyus and the Dāsas, both as aborigins independent or Aryan control and as subjugated slaves. It seems evident that the Śūdra of the later texts (probably) was supposed to belong to the aborigines who had

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510 Arthaśāstra, ii, p. 7, Cf. G.S. Ghurye, Caste and Race in India, p. 75.(1932).

511 X.90,12.

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been reduced to subjection by the Āryans. Strictly speaking, the defeated aborigines might have been regarded as slaves, but it seems clear that except on occasions there might have remained too many of them to be used as slaves of individual owners. The villages of the aborigines must have continued to exist but under Āryan control. The term Śūdra probably covered the wild tribes which lived by hunting and fishing and many of whom acknowledged the superiority of their Āryan neighbours. It could in fact be applied to all beyond the pale of Āryan groups. In the RgVeda, the Ārya seems to have been distinguished from the men of dark skin. In the Dharmasūtra we find the Śūdras were spoken of as having 'dark varṇa'. The Aitareya Brāhmaṇa,[512] in its account about the castes, declares that the Śūdra may be supposed to be anyasya preṣya i.e., the servant of another ; Kāmotthāpya, to be expelled at will and Yathā Kāmavadhya to be slain at will. All these terms were well enough to describe the position of the Śūdras. The Pañcaviṃśa Brāhmaṇa[513] explains that even if they were supposed to be prosperous i.e. bahu-paśu because of having many cows, the Śūdra could not be anything other than a servant, his business was Padāvanejya i.e., the washing of the feet of his superiors. The Mahābhārata[514] says that the Śūdra could not be a property holder, "na hi svam asti śūdrasya", the Śūdra has nothing that he may call his own. On the other hand, just as in England the royal justice would protect the serf ~~and his~~ in life and limb,[515] So it appears that the slaying of a Śūdra involved a wergeld of ten cows according to both Baudhāyana[516] and Āpastamba Dharmasūtra.[517] It may be held that this wergeld was only due in case of murder by another than the master, but such limitation does not

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512 Vii.29.4.
513 VI.1.11.
514 XII.30.7..
515 Pollock and Maitland, History of English Law, Vol.I, p. 350,355.
516 1.10,19.I.
517 i.9,24.3.

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seem to have been stated anywhere. In sacred matters, Jaimini in his Purva mīmāñsa Sūtra[518] established, after elaborate discussion, that the Śūdra had no adhikāra for performance of Agnihotra and Vedic sacrifices. The Śatapatha Brāhmaṇa[519] does not hesitate to declare that the upper castes i.e., the Brāhmaṇas and the Kṣatriyas were allowed to ignore the Śūdras and the texts like the Kāṭhaka Saṃhitā[520] and Maitrayāni Saṃhitā[521] seems to have prohibited the Śūdra from milking the cow on the ground that milk once touched by thamt should not be offered in the Agnihotra sacrifice. The same text[522] further does not allow a man who was required to be consecrated for a sacrifice to speak to a Śūdra though the Āpastamba quoted Śāṭyāyanaka from the text Kātyāyana Śrauta Sūtra[523] and relaxed this by confining it in cases where the Śūdra was guilty of some sin.

It seems somewhat gratifying to find that at least one ācārya, Bādari exposed the cause of the Śūdra and propounded the view that all including Śūdras were entitled to perform Vedic sacrifices. In the Vedānta sūtras[524] also the view seems to have been established that the Śūdra had no adhikāra for brahmavīdyā based on the study of Veda though the Śūdras like Vīdura might have been endowed with the knowledge of brahma owing to samskāras of former births. In the Smṛti literature, however, a few passages allowed marriage of Āryas with Śūdra women.[525]

The Gautama[526] and Āpastamba Dharmasūtra[527] seem to have prescribed such general rules in which the Śūdras were considered to have an inferior position. We learn further from Gautama[528] that the Śūdras

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518 VI.1.25-38. 519 ii.4.2 ; IV.2.2.14.
520 XXXi.2. 521 IV.1.3. 522 iii.1.1.10.
523 Vii.5.7. 524 1.3.34-38.
525 P.V.Kane, History of Dharmaśastra, Vol.II, Part II, p.36.
526 Xii.7. 527 ii.10.27.15. 528 Xii.4-6.

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were not allowed to study the Vedas while the Āpastamba[529] also refers to the danger that would follow either from the contact or from the food served by a Śūdra. Yet Gautama[530] allows that Śūdras could be merchant and Viṣnu[531] also allows them to adopt any type of trade. According to the Vasiṣṭha-Dharmasūtra,[532] Manu[533] and Yājñvalkya[534] the special duty of the Śūdra was to render service to the twice born classes and to obtain his livelihood from them. The texts further state that serving a brāhmaṇa would gain greater happiness or benefit for the Śūdra than serving a Kṣatriya and serving a Kṣatirya would fetch greater good for him than serving a Vaiśya. Gautama[535] Manu[536] and others also suggest that the Śūdras were required to wear old or cast off clothes, umbrellas, sandals, mattress etc. of his patron and remains of food (ucchiṣṭa) were to be given to him. Gautama[537] further suggests that if he became old and unable to do the work while serving any one of the higher varṇas, he was required to be fed by him whom he had formerly served. In course of time, the position of the Śūdra was improved. Manu[538] says that if a Sudra was unable to maintain himself and his family by serving the dvijas, he was allowed to maintain himself by taking recourse to crafts like carpentry or drawing or painting pictures. Nārada[539] allows him to do the work of Kṣatriyas and Vaiśyas in times of distress. Yājñvalkya[540] also allows that if he is unable to maintain himself by the service of the dvijas, the Śūdra might carry on the profession of a Vaiśya or might even take to the various crafts. The Śāntiparva of the Mahābhārata[541] allows a Śūdra who could not maintain himself by the service of higher varṇas to resort to

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529 i.5.17.1 ; ii. 2.3.4.
530 X.60.
531 ii.14.
532 11.20.
533 X.121-123.
534 X.120.
535 X.60-61.
536 X.124-125.
537 X.63.
538 X.99-100.
539 rnādāna 58.
540 1.120.
541 295.4.

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avocations of a Vaiśya to rearing of cattle and to crafts. Others like Laghu-Āśvalayana[542] and Vṛddha-Hārīta[543] seem to have allowed the profession of agriculture to the Śūdra. The Kālikāpurāṇa[544] quoted in the Gṛhastharatnākara of Caṇḍeśvara allowed the Śūdra to sell all commodities except honey, skins lāksā (lac), wines and flesh while Bṛhat-parāśara[545] prohibited the Śūdra from selling wine and flesh. Devala quoted in the Mitākṣarā on Yājñavalkya Smṛti[546] prescribes that the Śūdra should serve the twice born and may be allowed to be engaged in agriculture, rearing cattle, carrying loads, sale of commodities, drawing and paintings, dancing singing and playing on musical instruments like the flute, lute, drums and tabors.

The foregoing will show that the Śūdra gradually rose in social status so far as occupation was concerned and could follow all occupations except those specially reserved for the brāhmaṇas i.e., from wearing sacred thread and participating in the yajnas. The Maitrāyaṇī Saṃhitā[547] and the Pañcaviṃśa Brāhmaṇa[548] have knowledge of rich Śūdras and Śūdra gahapatis i.e., householders' are known to have occurred in the Buddhist text. Manu[549] appears to have expressly enjoined upon brāhmaṇas not to dwell upon in the kingdom of a Śūdra. The Smṛtis however did not like that wealth should be accumulated in the hands of the Śūdra. Gautama-dharma-sūtra[550] says that wealth accumulation in the hands of the Śūdras was to be

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542 22.5.
543 VII.189,192.
544 P.479.
545 P.101.
546 I.120.
547 IV.2.7,10.
548 VI.1.11.
549 IV.61. This dictum of Manu might have been pronounced at a time when Śūdra kings were rare ; otherwise it would have no meaning and brāhmaṇas would have been compelled to leave India. So it follows that Manu did not hold the view propounded in certain Purāṇas that after the Nandas there would be no Kṣatriya Kings and only Śūdras will be kings.
550 X.64-65.

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spent for the support and benefit of the other varnas. Manu[551] further suggests that a Śudra, even though able to accumulate wealth should not to do so, as (on account of his pride of wealth and his ignorance) he may cause obstructions and trouble to brāhmaṇas.

Although the Śūdras were divided into numerous subcastes yet it seems they were deemed to belong to two main divisions. One division was called aniravasita Śūdras which included carpenters and blacksmits and the other was nirvasita Śūdras which however included the cāṇḍālas. Yājñavalkya[552] clearly differentiates between the two divisions and says that the former included those who were supposed to be one's slave, one's cowherd and one's barber and the other who shared with one the crop reared on one's field. In another opinion the Sudras were divided into two categories namely the Sacchūdras and the asac-chūdras. The former class included those who followed cleaner occupations or trade, served the twice born dvijas and had given up eating of meat and drinking or selling of liquor. The Śūdraka malākara[553] says that the asat-Śūdraas were not supposed to incur any sin even if they pertook of meat and liquor provided they did not eat forbidden meat and it appears that one would not commit sin if one would come in contact with such type of Śūdra.

The Greek writers' account about the artisans and the manufacturers of implements who were not supposed to pay any tax but used to draw grain from the royal treasury were probably some form of Śūdras since they were employed by the king as army artisans or otherwise serviceable. Manu[554] says

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551 X.129. 552 I.166.
553 P.60. 554 VII.126.

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that the minials of the royal household were required to be paid for rendering service one to six panas a month, clothing to wear during every semester and a tub of grains every month. The tax of ordinary artisans was supposed to be assessed in kind. The Vasiṣṭha-dharmasūtra[555] also exempts the king's servants from the payments of taxes along with other persons such as helpless persons, ascetics, minors and persons above seventy years of age. Manu[556] seems to have suggested similar provision as that of Vasiṣṭha.

We learn from Megasthenes[557] about those who were considered to belong to the fighting class and were numerically much larger than the cultivators, the features of the cultivating class are however put by Megasthenes in the second order: Megasthenes, further informs us that the fighting class was not required to do any work other than fighting. These fighters were provided with weapons required for fighting by the members of the other classes appointed by them mainly for the purpose of keeping ready the horses and elephants. These men used to receive regular pay even in times of peace and used to spend time in ease when the possibility of war did not haunt them.

Arrian's[558] description about the fifth caste seems to be almost identical with that left by Megasthenes. He probably clarifies the statement of Megasthenes who refers to us that the warrior class used to maintain number of dependents but does not however clarify the statements

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555 19.23.

556 VIII.394.

557 Megasthe Frags. 35 and 36.

558 Arr. Ind. 11 f.

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as to the purpose of maintaining the number of dependents. Arrian[559] makes it clear and states that the fighting class received such liberal pay that they maintained servants to attend on them in the camp to clean their arms and to take care of their horses, elephants and chariots besides themselves.

Siculus's description regarding the fighting class however tallies with the description of Megasthenes. He informs us further that the expenditure of the entire army which however included even men-at-arm, and was elephants was to be done by the king.[560] Strabo[561] further clarifies the reason as to why the fighting men were not required to do any other work except fighting since they were supposed to keep themselves alert for any sort of emergency and when they joined the retinue of the king they were not supposed to bring any article for them for them from their abodes excepting their own selves in order to fight with the enemy.

The fighting class referred to by Megasthenes in the fifth order and also upheld by Arrian, Siculus and Strabo as well probably indicated the second caste i.e., the Kṣatriya caste of Indian literature.

The term brahma and Kṣatra appear to have occured in the RgVeda[562] where they probably meant 'prayer' and 'valour' respectively. In the Atharvaveda[563] both words occurred and probably indicated the same thing as in the RgVeda.[564] In the Taittirīya Brāhmaṇa[565] the

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559 Arr. Indica, Fragm. XII Cf. R.C.Majumdar, Classical Accounts Of India, p.226.
560 R.C.Majumdar, Classical Accounts of India, p. 238.
561 Strabo XV, C.703 V.
562 I.157.2.
563 III.19.1.
564 I.157.2.
565 II.7.18.

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Bṛhadāraṇyaka Upaniṣad[566] and the Kāṭhopaniṣad[567] the words 'brahma' and 'Kṣatra' appear to have stood collectively for the brāhmaṇas and the kṣatriyas. The word Kṣatriya seems to have frequently applied in the RgVeda[568] as an epithet to Mitra and Varuṇa. In some hymns of the RgVeda[569] Kṣatriya means a king or a nobleman. The same text[570] and the Atharvaveda[571] indicate that the duty of the Kṣatriya had been to prorect his domain from the enemies.[572]

The word rājanya, however, occurs in the RgVeda[573] only in the Puruṣasūkta. The same word appears to have been used in the sense of Kṣatriya in the Atharvaveda.[574] It seems difficult to say exactly whether the Kṣatriyas were so by birth in the times of the hymns of the RgVeda or were only a class held more or less fluid. We find that the RgVeda speaks of Devāpi as the purohita of Śantanu who became a king. The story goes that both were sons of Ṛṣṭiṣeṇa. The Nirukta however differs from what it appears in the RgVeda and says that Devāpi and Śantanu were Kauravya brothers. However Śantanu became king since Devapi was not willing to be a king. The result was a famine due to Śantanu's transgression and so Devāpi performed a sacrifice to induce rainfall. This shows that out of the two brothers, one became a king and the other a purohita. So gaining the status of a king or a purohitas did not depend on birth. Dr. Ghurye, while speaking of the second order of the society

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566 1.4.11. 567 1.2.24. 568 VII.64.2 ; VIII.25.8.

569 IV.42.1. 570 X.109.3. 571 V.17.3.

572 Kane, History of Dharmaśāstra, Vol.II, Part II,p. 31.

573 X.90.12.

474 V.17.9.

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states that the "Kṣatriya is known in the earlier portions of the ṚgVeda as the Rājanya" (p.44) but no such word as the Rājanya does not appear anywhere in the ṚgVeda except in the Puruṣasūkta. In the Aitareya Brāhmaṇa[575] the word Rājanya stands for a member of the second class in society while Kṣatriya means a king from whom land for sacrifice to Gods appears to have been prayed for by Brāhmaṇa, Rājanya or Vaiśya.[576]

The evidence of the Jātakas[577] points to the Khattiyas as denoting the members of the old Āryan nobility who used to lead the tribes to conquest, as well as those families of the aborigines who had managed to maintain their princely status inspite of the conquest. In the epic also the term Kṣatriya seems to have been applied to these persons but it has probably wider significance than Khattiya and the Kṣatriyas included all the royal military vassals and feudal chiefs. Neither in the Jātakas[578] nor in the epic[579] the term Kṣatriya seems to have been co-extensive with all the warriors ; the army appears to have contained many other castes besides Kṣatriya who however were supposed to be the leaders or officers rather than the rank and file. In Mahāvogga[580] they were called Yodhā.

In the Atharvaveda[581] and the Aitareya Brāhmaṇa[582] the Kṣatriya appears to have represented a definite member of the social body, distinct from the priest, the people and the slaves, i.e., the Brāhmaṇa,

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575 Chap. 34.2.
576 Kane, History of Dharmaśāstra, Vol.II, Part II, p. 32.
577 Rhys Davids, Dialogues of the Buddha, Vol.I, p.95 and Buddhist India, (1911), p. 56.
578 Fick, Social Organisation, Translated by S.Maitra, (1920), p. 80 f.
579 Hopkins, Journal of the American Oriental Society, Vol.13,p.184,194.
580 I.40.2. 581 VI.76.3.4 ; XII.5.5.44.46. 582 VII.24.

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the Vaisya and the Sūdra. It may be probable that Rājanya had been a varient to Kṣatriya and it may be reasonable to suppose that the Kṣatriya and Rājanya were of similar origin being princely connected with royalty. Moreover, the early use of Kṣatriya in the RgVeda[583] appears to be connected with royal authority or divine authority.

It is not very clear as to what type of persons would be indicated by the term Kṣatriya. That it covered the royal house and the various branches of the royal family may be regarded as certain. It no doubt also included the nobles and their families. This would however explain the occasional conflict between the Rājanya and Kṣatriya as it appears in the Pañcaviṃśa Brāhmaṇa[584] and the Kāṭhaka Saṃhitā[585] where a Rājanya asked for a place for sacrifice.[586] Thus, when strictly applied, the Kṣatriya would have a wider denotation than Rājanya. Although the two terms appear to be identical yet the composition of Kṣatriya ever included exclusively all the fighting men seems to be doubtful, since the RgVeda[587] bears evidence to the fact that the people in general i.e., viś regularly fought and not the Kṣatriyas only. In the Atharvaveda[588] the people who fought have been clearly designated as balam which means 'force', a regular term used for an armed force probably composed of men other than the Kṣatriya. Gautama[589] and Vasiṣtha[590] were supposed to have allowed the Brāhmaṇas to maintain themselves by the occupation of Kṣatriya in case of need. From the epic

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583 IV.12.3.; 42.1.
584 XXIV. 18.2.
585 XX.I.
586 Macdonell and Keith, Vedic Index, Vol.I, p. 203.
587 1. 69.3 ; 12.6.5.
588 IX.7.9.
589 VII.6.
590 II.22.

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we learn that when Karna went into battle, in one passage of the Mahābhārata[591] observes that the people-men, slaves, and mixed castes took the side of Karṇa in the battle although the context does not reveal clearly that they had actually participated in fighting. In the army recruited by Duryodhana there had been many cowherds.[592] It does not appear to be binding that the armymen recruited for fighting should all be of Kṣatriya origin but if the nobles had retinues as the king had, the Kṣatriya would be included among those retainers who had military functions for the protection of the country and besides protecting the country they received revenue in kind from the people or Vaiśyas mainly during war. The term Kṣatriya did not apply to all members of the royal entourage but included those who granted villages for their normal and peace time subsistence because the Grāmanī seems to have more often a nominee of the king rather than a popularly elected leader and the post seems to have been hereditary in such cases. Others had their lands cultivated by tenants. In war they were helped by people who fought alongside with them.

The warriers who formed the bulk of the retinues of the nobles had no wealth of their own and their position was that of common soldiers. From the description of the battle scenes found in the epic, it seems probable that the king supported a large army of common men, inferior fighters who differed among themselves by virtue of their respective personal qualities and ability in certain techniques of war.

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591 VIII.87.48.

592 V.7.17 ff. Cf. J.O.A.S. Vol. 13, p. 94-95.

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Thus the archers were sharply distinguished from the spearmen ; the elephant riders from the horse rider. They were probably common soldiers and nothing more. Some appeared to be native troops and enjoyed privileges granted to those in religious rights and rites. But there seems to have been a distinction between the legal or military rights of the native Āryan soldier and of the hired mercenary. It appears that most of the common soldiers were either imported as mercenary or allied foreign troops. A certain amount of patronage of each great knight might not be improbable in upgrading of a knight to a general since we see that even in the Epic as in the Vedic period the troops were arranged 'clan by clan' or family by family. It may be reasonable hence to assume that the respective captains and other officers, the balamukhyāh, were stationed at the head of their own family or clan men, in so far as these were separable from the like sort of fighters belonging to other clans. The soldiers drew their pay from the king and were cared for if disabled. Manu[593] has prescribed farming for those warriors who were supposed to be poor. Out of the battles they appeared so mixed up with the general populace that one could not make any real assessment of their position. Megasthenes seems to be correct when he says that the soldiers did nothing when their services were not required.

Occasionally we catch a legendary glimpse of the process in the Mahābhārata[594] wherein a poor soldier is stated to have becomes one of the great noble and had founded a family. Karṇa was a charrioter's son;[595] but a good fighter and the king liked him. He became a royal favourite. He even ventured to enter a knightly contest, but an objection

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593 X.83.95 ; VIII.411.
594 i. 136. 36.
595 J.A.O.S. Vol. 15, p. 98 f.

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was raised about his origin. The king at once knighted him or so to speak installed him as the 'a king of Anga'. His new rank placed him on a level with Kings or with the best knights of the court. The charioteer's son became rājā of a dependent town. Such a king was in actual practice a governor under an imperial.order.

A king's court was made up of native nobles, royal allies, persons connected to the Royal family and subject kings. These nobles for the most part seemed to be natives of high birth and were required to take part in the deliberations held in the assemblies. They were sometimes found to lead the army and were the king's viceregents in all military affairs. Not a few of the highest knights were in reality defeated or allied kings. Some were the relatives of the kings by marriage, drawn away from their homes to new environments. Thus Dṛtarāṣṭra's craftiest adviser was his wife's brother. Similarly, Kṛsna, a near relative of the Pāṇḍu's wife, was seen to have spent most of his time at the court of the Pāṇḍu heroes.

The maintenance of nobles belonging to the wife's relations does not seem to be out of the rules which however tallies with what Vasiṣtha[596] says with regard to the chief wife's relations.

These nobles, knighted warriors had to prove themselves worthy of their rank on reaching the end of boyhood and were recognised as knights only after giving an exhibition of their skill and prowess in a formal joust in order to be taken as the real aristocracy of the land.

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596 XIX. 31 ff.

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They were held as equals of the king in tastes and desires. According to the codes discussed earlier the kings were chosen from among the aristocrates or he would have been a hero or a commander of armies which means kings were to be chosen from these three kinds of men. Family, personel bravery and skill in leadership were then according to epic rule and usage, the conditions under which the warriors became chiefs and were treated as on a par with kings.[597] Regarding the appointment of every high official, we are continually reminded, that he must be of good family. Great wealth can ennoble a man of the people caste ; similarly great bravery or skill can do the same for a warrior. But the descendent of a good family appears to be the highest qualification for holding high position even if one had not proved oneself remarkable for personal attainments.[598]

While speaking about the sixth order Megasthenes[599] incorporates in it the overseer class whose duty was to keep watch and report to the king secretly about the state of things going on in the kingdom. Megasthenes says that some of them were entrusted with the affairs of the city and the others with that of the army. They were required to report to the king about the affairs of the city with the assistance of the courtesans specially appointed for the purpose.

Arrian's[600] observation about the sixth class does not apparently seem to be identical with that of Megasthenes since Arrian's statement refers to the function of superintendents who were required to

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597 J.A.O.S. Vol. 13, p. 100. 598 Ibid., p. 100.

599 Megasth. Fragm. XXXVI. Book III Cf. McCrindle, Fragments of the Indika of Megasthenes, p. 85.

600 Arr. XII. Cf. Ibid., p. 211.

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spy out the state of things going on in the country and town and to report it to the king or to the magistrate.

Siculus,[601] although he referred to Inspectors, yet the duties which the Inspectors were supposed to discharge appears to be identical with what has been stated by Megasthenes and Arrian. Strabo, though he had used the expression 'Inspector' like Siculus, prescribes the duties of Inspectors like that of Arrian. But one thing appears to be common that the officers, though differently designated, were required to report to the king secretly about the state of affairs in the kingdom.

The Overseer class i.e., the sixth caste refers to by Megasthenes were probably the same as the adhyakṣas mentioned by Kauṭilya and to be akin to the function[602] prescribed for the Overseer by Megasthenes.

The expression adhyakṣa used by Pāṇini[603] seems to have referred to those persons who were in actual service. The position of the adhyakṣas appears to have been elevated to the head of the Department.[604] It seems that adhyakṣas whom Bṛhaspati describes as a dispenser of justice and about whom we have a reference in the Mahābhārata where persons who had acted as Dharma-adhyakṣas i.e. superintendents of justice.[605]

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601 Diod. 41 Cf. Majumdar, The Classical Accounts of India, p. 238.

602 Kane, History of Dharmaśāstra, Vol.II, Part II, p. 50.

603 VI.2,66,67. 604 VI.2,67.

605 R.K.Mookerji, Hindu Civilisation, p. 146.

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The duty prescribed in the Bṛhaspati Smṛti for the adhyakṣas seems to have related to the court of justice. The text[606] appears to have expanded Nārada's list of eight (really nine) members of a court of justice into ten by including the king's own officer in the category while he substitutes the authorised person (adhikṛtā) or the Chief Judge, adhyakṣa, for Nārada's righteous officer (Satpuruṣa). Explaining the functions of these members for the first time Bṛhaspati[607] appears to have observed that the king was required to inflict punishment, the adhyakṣas were supposed to pronounce the sentence, the Sabhyas were to investigate the case. The duty of the accountant was to compute the sum in dispute. The scribe was meant for recording the proceedings, the obligation of the king's officer was to compel the attendance of the plaintiff. Whatever we may think of the above list, it undoubtedly shows that the decision of the cases rested with the Judge and the assessors. The number of Sabhyas according to Bṛhaspati[608] should be seven, five or three. Elsewhere he[609] mentions the ministers (amātyas) and the Purohita as members of the court, he does not give any indication of their functions. Like Nārada, Bṛhaspati suggests the existence of a chain of courts as spreading throughout the kingdom. Courts says Bṛhaspati[610] were of four kinds, namely, fixed, moving, meeting under the king's seal and the courts to be set according to the king's desire. The first of these courts were to assemble in town or village, the second appeared to be moving and the third was supposed to be presided over the adhyakṣas and the fourth was to be attended by the king. The last two class of courts had their counterparts in other Smṛtis but the first two probably had no parallel elsewhere.

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606 1.1.87. 607 1.1.88-90. 608 I.I.63.
609 1.1.22 and Ibid. 70.
610 I.I.57-58.

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Kane probably is right when he identifies Megasthene's Overseer class as adhyakṣas when the chief feature of ancient administrative practice was to let loose on officials of every department and special commissioners were appointed to watch their movement and proceedings. Their function was to see that the officials of the state did not lend themselves to temptations of any sort including corruption, miscarriage of justice and disloyalty to the state. In ancient Indian polity this type of officials may be designated as Cara or Cāra (spy) as done by Kauṭilya in his Arthaśāstra. Kāmasūtra[611] however draws out a distinction between a dūta and a cara and says that a dūta[612] is open spy (prakāsa), while cara is a spy who works in secret. Mitāksarā on Yājñvalkya suggests that a dūta may be of three kinds such as a nisṛstārtha (one to whom may be entrusted the full discretion as to what is to be said) Parimitārtha (entrusted with a definite mission, an envoy) Śāsanahara (a mere carrier of royal writings or missives). Kauṭilya says that when the ruler to whom the dūta has been accredited becomes displeased at the message he brings, the dūta should reply 'All kings, you and others, speak through their dūta. Therefore dūtas were to deliver messages entrusted to them even if weapons are raised to

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611 XII.32.

612 The word and the office of dūta as messenger known in the most ancient times. In Ṛgveda (I.12.1, 1.161.3, VIII.44.3) Agni has been said to be the dūta and has been requested to bring the Gods to the sacrifice. It seems that the word dūta carries the meaning of espionage since Saramā, the bitch of the Gods appears to have been represented in Ṛgveda (X.108. 2-4) as deputed by Indra to find out the treasures of the Paṇis. The Udyoga (37.27, cr. ed. 37.25) seems to have specified the eight qualities of a dūta viz., he would not be stiff-necked nor timid, nor dilatory, he should be kind and amiable, not liable to be won over by others free from diseases, endowed with a fine mode of speech. Śānti (85.28) and Ayodhyā Parva (100.35) refer to seven qualities which a dūta should possess. Manu (Vii.63-64) and Matsya Purāṇa (215.12.13) seem to have laid also the qualities of a dūta.

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threaten them, even the lowest caste dūtas (Cāṇḍālas) were not to be killed. What need be said about a dūta who is not a brāhmaṇa. This that I utter is the message of another. It is my duty to say this. The Rāmāyaṇa[613] says that good men do not allow the killing of a dūta, but prescribes certain modes of dealing with him (viz. lashing him, shaving his head). The Nītiprakāsika[614] says : "Even if an ambassador is guilty of a grievous wrong, he cannot be put to death". In Bhāsa's Pratijñā-Yaugandharāyaṇa[615] king Udayana receives a message from Mahāsena Pradyota through a dūta, showing reverence to the dūta. In Bhāsa's Abhiseka[616] we find a corroborative evidence according to which the messengers were not to be killed. This was stated in the context when Rāvaṇa wanted to kill Hanuman when he was captured.

In modern times also 'an ambassador is often more than an honourable spy acting under the protection of the law of nations'. Kauṭilya[617] devotes four chapters to spies and the Kāmasūtra[618] also deals with them. The Śukra-nītisāra[619] states that a king should learn every day at night from his secret spies the intentions and actions of his subjects and officers, and the opinions of ministers, enemies, soldiers, the members of assembly, relations and the women in the harem. The Cara should possess according to the Kāmasūtra[620] ability to infer the inner thoughts of men and should have good memory. He should also possess the art of delivering soft speech and should have quick gait.

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613 V.52.14-15.
614 VII.64.
615 II.4.
616 Act. III.
617 1.11-14.
618 XII.25-49.
619 I.334-336.
620 XII.25.

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He should also be capable of enduring privations and hard labour, swift in action, and ready witted. Kautilya[621] says that spies may be those who can work in the diguise of a Kāpaṭika (a bold pupil capable of knowing the mind of others). Udāsthita (a sham ascetic has fallen from the real duties of asceticism and is endowed with intelligence and pure character). Grhapaṭika (a householder who is a cultivator that has not the means to maintain himself, has intelligence and is of pure character), a Vaidehaka (a trader who cannot maintain himself by trade and is possessed of intelligence and pure character), a tāpasa (spy practising austerities, who has shaved his head or had matted hair is desirous to maintain himself), a class mate or a colleague (Sattrin), a desparate character (tīkṣna), a pioneer and a female mendicant. The first five of these may be identical with the five Samsths (groups or institutions) by Kautilya. The institutions of spies which should be patronised by the king with awards of money and marks of respects. Through this institution the king should test the purity of the character of his servants. Besides naming the institutions Kautilya[622] further classifies the spies as wandering spies (called Sañcara) viz. Sattrins who are orphans that are required to be maintained by the state and that are taught palmistry, sorcery, tricks of ledgerdemain) tīkṣṇa (desperadoes who regardless of their lives, may fight elephants for money), rasada (who have no affection even for their relatives are indolent and cruel) bhikṣuki or Parivrājikā (a poor brāhmaṇa widow, clever and desirous to earn her livelihood). These classes of spies were required to keep watch on 18 tīrthas in public. The expression 'tīrtha' means

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621 I.11.

622 I.12.

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certain counsellers of the king.[623] In the performance of the Rajasuya, certain offerings were used (generally twelve in number) called 'ratninām havīmiṣi' in Vedic age. The order and names of these differed in different texts though most of them seem to be the same in all. Besides the king, eleven 'ratnas' (jewels) or ratnis have been mentioned namely the commander-in-chief, the purohita, the crowned queen, the Sūta, the grāmaṇī, the Kṣattṛ (Chamberlain), the Saṅgrahitṛ (Charioteer), the akṣāvāpa (Superintendent of Gambling), the bhāgadugha (Collector of taxes), the Govikartana, the dūta (courier) the Parivṛkti (discarded queen). In the Taittirīya Brāhmaṇa[624] they appear to be the same as enumerated above except that Govikartana has been omitted and the queen called Vāvātā has been added. The same text[625] describes them as the bestowers of the kingdom. It seems clear from the Śatapatha Brāhmaṇa[626] that some of these jewels like the commander-in-chief and the huntsmen were of low caste or of the Śūdra caste. Later on certain functioneries began to be called, tīrthas, their number 18 seems to be evident from the Sabhā,[627] Ayodhā[628] and Śāntiparva[629] of the Mahābhārata. Kautilya also speaks of 18 tirthas. In the Raghuvaṁśa,[630] Kālidāsa employs the word tīrtha in the same sense. According to Nītivākyāmṛta[631] the persons who are helpers in dharma and state business have been called tīrtha. In the Edicts of Aśoka[632] the high officers were yuktas, rājukas and Prādeśikas[633] of

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623 Momier William, A Sanskrit-English Dictionary, p. 449.

624 1. 7.3. 625 1.7.3. 626 V.3.2.2 and 4.

627 5.38. 628 100.36. 629 69.52.

630 17.68. 631 p.29 632 R.E.XII.

633 R.E.III.

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whom the first at least was a subordinate to the council of ministers i.e., the tirthas. Later writers like Gavindarāja on Ayothā[634] the commentary on the Yaśastilaka[635] differed regarding the names of the 18 tīrthas. The Rājatarangini[636] informs that in the former times there were only seven departments. (Kamasthanas) but later on there became 18 and that five more were added to these eighteen[637] even at a later time.

For spying persons pretending to be hump-backed, dwarfs, kirātas (pigmies), the deaf and dumb, idiots, the blind and others who were actors dancers, singers and the like and women might be employed. Information gathered by those might further be tested by persons belonging to five Samsthās but they were required to act without the knowledge of the wandering spies and vice-versa. Then further testing by other spies followed. When the information received from all these sources tallies with each other, it would be held reliable, but if the information frequently disagrees, the spies should be secretly punished or discharged. A similar rule about sending several spies on the same mission without knowing each other appears to have been laid down by Visnudharmottara.[638] Kautilya[639] deals with espionage as a subjects in general i.e., about spied in the capital and other parts of the country. Kautilya[640] further deals with the employment of spies for taking advantage of parties in a foreign state i.e., groups of persons angry with foreign kings or afraid of him or of persons who are ambitous or proud and who are to be won over

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634 100.36. 635 I, p.91. 636 I.120.
637 IV.142-143. 638 11.24. 66-67. 639 I.13.
640 I.14.

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by appropriate Stimuli. It will be seen how there was a net-work of spies of all kinds so much so that Kāmasūtra[641] declares that spies to be the eyes of the king. We learn also from the Mudrā-Rākṣasa[642] that a spy was expected to be adept in the languages spoken different parts of the country and were also expected to be able to assume various disguises. This was but natural because he was required to go to different parts of the land and gather information by moving among various kinds of people. He should assume such disguishes as would enable him to have a free access to any place, even that of a minister and would at the same time he should be above all suspicion. The best disguise seems to have been that of a snake-catcher, a Yamapatika or a religious mendicant even Buddhist or Jain or an astrologer who had access to all houses and could talk to all sorts of people high and low. Inspite of the detailed instructions that they received from their employers, the spies had often to use their ingenuity and decide the course of action to be followed on the spur of the moment. They were therefore, required to be men of good calibre. At times spies were required to get themselves employed in the service of the enemy and do their work very cautiously, often even at the risk of their own lives. The slightest mistake on the part of a spy in such cases would upset the plan of his master and bring destruction on the state. Thus we see that spies had to play a very important role in the political world by wandering through different people under various disguises and gathering information or by getting even into services of the enemy in different departments and waiting for an opportune moment to carry out the instructions of their master. Implicit

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641 XII.28.

642 Act II Cf. Mudrā-Rākṣasa translated by B. Goswami.

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obedience and staunch fidelity were strictly expected from the spies and one showing the slightest sign to the contrary, ran the risk of being sentenced to death. The Viṣṇudharmottara[643] says the same thing, and also the Udyoga parva of the Mahābhārata[644] says 'Caraiḥ paśyanti rājānaḥ'. Kauṭilya[645] further suggests the employment of Samāhartṛ (collector) for appointing a host of spies for suppressing those who appear to be thorns. The appointment of host-spies would mean keeping watch on the judges and superintendents of various departments that are in the habit of taking bribes. And also to find out the counterfeiters of coins and adulterers, thieves and robbers and other criminals. In the Droṇaparva[646] of the Mahābhārata Kṛṣṇa is said to have his spies in the army of Duryodhana and vice-versa.[647] It has been revealed further from Bhāsa's drama 'Dūta-vākya'. The play has been named as it deals with the advice (Vākya) given by Kṛṣṇa to Duryodhana as an emissary (dūta) of Peace from the Pāṇḍavas. That the dūta may also be entrusted with the task of bringing alliance or war. Manu[648] also holds a similar view. Śāntiparva[649] of the Mahābhārata further enlightens us about the places where the spies would be placed without being known to each other. We learn further from the Avimāraka written by Bhāsa[650] that king Dūryodhana comes to know of the state of affairs in the Sauvira kingdom through his spies and makes unsuccessful attempts to find out Avimāraka which however do not reflect unfavourably on Kuntibhoja's secret service, as Avimāraka was invisible through the help of the magic ring given to him by a vidyādhara.

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643 II.24.63.
644 34.34.
645 IV.4.6.
646 75.4.
647 74.1
648 VII.65.
649 69.8-12 and 140.39-42
650 Avi. VI.10,14.

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An assessment of various types of ancient political treatises like that of Kauṭilya, the accounts of the epics and the literary compositions of early poets and dramatists including various religious texts with socio-political overtones prove beyond doubt that political set up and the function of the State-machinery heavily relied on the services rendered by spies and secret informants. This extensive espionage service employing a large number of spies was a characteristic feature of the state in ancient India. In a circumstance like this it is but quite natural that officials high or low employed for the espionage service maintained by the state could be interpreted by writers of foreign accounts (not familiar with the sociological significance of the caste system) as a separate or distinctive class or 'caste'. This might have been the reason for which we get the Megasthenes' accounts about "the overseer" as a class identified with the members of the espionage service.

According to Manu[651] and Kauṭilya,[652] a state (rājya) should be constituted by seven elements viz. Svāmin (ruler or sovereign), amātya (minister), janapada or rāṣṭra (the territory of state and its people), durga (fortified city or capital), Kośa (accumulated wealth in the ruler's territory), daṇḍa (army), mitra (friends or allies). These seven may be called aṅgas or prakṛtis.

The amātyas may be the second important elements of a rājya. The meaning of the word amātya seems to be the minister. There were three words viz. amātya, saciva and mantri all of which appears to be ministers of some kind.

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651 VII.156.

652 VI.2.

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Yet the first had the oldest of the three. A Kārikā on Pāṇini[653] and the Mahābhāṣya[654] teach us the formation of the word with the affix tyap (tya) from ama meaning near or with.[655] In ṚgVeda[656] there appears a sense of this word in a hymn - "O Agni". Go like a king riding an elephant accompanied by his ministers". Yāska in his Nirukta[657] seems to have explained amavān as amātyavān though two more explanation have been offered by him. The word amatya itself occurs in the ṚgVeda[658] where it appears to have been used as an adjective and means 'our own' or 'abiding in our house'. In some of the Sūtras like the Baudhāyanapitṛmedhasūtra[659] the word amātya appears to have represented a 'near male relations in the house'.[660] The expression amātya seems to have indicated the sense of minister in the Āpastamba Dharmasūtra.[661] The word Saciva occurs in the Aitreya Brāhamaṇa[662] where it appears that Indra considered the Maruts as his 'sacivas' which means helpers or comrades. Kauṭilya[663] says that kingship could only continue with the aid of assistants for which the king should appoint ministers and listen to their opinions. Manu[664] and the Śukranītisāra[665] were of opinion that even an easy task could not be accomplished single handed, how the various type of works could be done without helpers ? The Matsya Purāṇa[666] recommends the appointment of helpers. Manu[667] like the

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653 IV.2.104.
654 Vol.II, p. 292.
655 P.V. Kane, History of Dharmaśāstra, Vol.III, p.104.
656 IV.4.1.
657 VI.12.
658 VII.15.3.
659 1.4.13, 1.12.7.
660 Kane, History of Dharmaśāstra, Vol.II, p. 588, n 1375.
661 11.10.25.10.
662 XII.9.
663 1.7 (Last Verse).
664 VII.55.
665 II.1.
666 215.2 ; 215.3.
667 VII.55.

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Matsya Purāṇa recommends the appointment of assistants. From Kauṭilya's Arthaśāstra,[668] Manu[669] and the Kāmāndakīya-nītisāra[670] it appears that they had used the words saciva and amātya as synonymous. Rudradāman in his junāgadh inscription[671] states that his great enterprise to repair the Sudarśana Lake was disapproved by his advisory (mati-saciva) who were all endowed with the qualities required in amātyas and yet who were averse to the project and had no enthusiasm for it since the breach to be rapaired was very great. Here it appears that the Sacivas were divided into two sorts, those who were required to give advice and those who were supposed to execute the business decided upon. Amara[672] appears to have designated amātya as dhisachiva i.e. matisachiva and also mantrin while amātyas other than the mantrin refers to as Karmasacivas. In the Rāmāyaṇa[673] Sumantra has been mentioned as an amātya and has been regarded as the best[674] of the mantrins. In the Ayodhā kāṇḍa[675] of the Rāmāyaṇa a distinction seems to have been drawn between an amātya and a mantrin. Kauṭilya[676] suggests that amātyas should be appointed after having determined the division of the sphers of powers and having taken into consideration the time and place and the work the amātyas were required to do. It follows that mantrins were regarded by Kauṭilya as belonging to a higher grade than the amātyas in general. From Rājanītiprakāśa[677] we however learn that the amātyas were also styled as mantrins.

Conclusion ?

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668 1.7. and 8.

669 VII. 54 and 60.

670 IV. 25.27, XIII. 24 and 64.

671 Epigraphia Indica, Vol.VIII, p.36-44.

672 II.

673 1.7.3.

674 1.8.4.

675 112.17.

676 1.8 (last verse).

677 P.178.

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CHAPTER - III

MARRIAGE AND OTHER RITES

Megasthenes, while referring to the caste system draws our attention further to the forms of marriage prevailing during his time in India. From the accounts of Megasthenes one can get a full view about one of the important sociological aspects of contemporary culture. His description of marriage, although stated in piecemeal, does not fully agree with the prescribed systems of marriage known to be vogue among the people of India. Yet his presentation of facts of the ancient systems undoubtedly throws light on the different Indian samskaras through which one can have a glimpse of the state of things in the society prevailing during that remote age.

Megasthenes says that the marriage system was polygamous[1] and that a bride were purchased from her parents for a yoke of oxen.[2] His observation does not seem to be unreasonable since he himself assigned reasons as to why the Indians were polygamous. The justification of marrying many wives, the Indians held, was for having suitable help mates or for deriving pleasure. The outcome of such marriage would be to fill the houses with numerous progeny. Megasthenes, while discussing the life of brāhmaṇas however says that the brāhmaṇas marry as many wives as possible to secure good progeny.[3]

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1 In Malavikāgnimitra of Kālidāsa we find that pologamy was the order of the day. Agnimitra who had a large harem already to his credit. In this connection it seems important to note that all the heroes presented to us by Kālidāsa in his dramas may be said to have come under this category.

2 Megasth.Fragm. XXVII. Strabo XV.i.55-56, pp.709-10.

3 Megasth.Fragm. 40 = Strabo XV, C.711 f.

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Though monogamy seems to have been the ideal and was probably the rule, the Vedic literature appears to have contained numerous references to polygamy. In the RgVeda[4] the word dampati occurs very frequently which goes to prove that the idea of monogamous marriage was probably the prevalant custom. In another passage of the same text[5] and in the Atharva-veda[6] there occurs a hymn meant as a charm for weaning the husband's affections from a co-wife. Both the texts namely the Āpastamba-mantra-pātha[7] and the Āpastamba gṛhya-sūtra[8] seem to have prescribed this hymn for winning over the husband to the reciter of the hymn and for causing estrangements between the husband and the co-wife. The Taittirīya Saṃhitā[9] gives a somewhat clearer picture about the polygamous nature of the Indians. The text states that on the sacrificial post the husband passes round two girdles which proves that one man appears to have secured two wives, that he does not pass one girdle round two posts, so one wife does not obtain two husbands. The Aitareya Brāhmaṇa[10] lays down that a man might have many wives but a wife could not have many husbands at the same. From the Śatapatha Brāhmaṇa[11] we learn that the four wives of a king usually presented themselves in attendance such as, the consecrated queen (mahiṣī), the favourite wive (vāvātā) the discarded wife (Parivṛkta or parivṛkti) and the Pālāgalī (who is lowborn). The Taittirīya Saṃhitā[12] has mention of the mahiṣī and parivṛkti. The Vājasaneya Saṃhitā[13] seems to

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4 V.3.2 ; VIII.31.5 ; X.68.2.
5 X.145.
6 III.18
7 I.15.
8 IX.6-8.
9 VI.6.4.3.
10 12.11.
11 XIII.4.1.9, S.B.E.Vol.44, p.349.
12 I.8.9.
13 23, 24, 26, 28.

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have contained verses addressed to the mahiṣī vāvātā and parivṛkti by the brahma, udgātā and hotā priests respectively. In the Aitareya Brāhmaṇa[14] Hariścandra is mentioned to have had a hundred wives. It may however be held from the evidences found in the above mentioned texts that polygamy was confined only to kings and nobles. From texts like Bṛhadāraṇyaka Upaniṣad[15] it appears that the great philosophers like Yājñvalkya had two wives, Kātyāyanī who was worldly minded and Maitreyī who was seen to have pined for knowledge of Brahma and immortality.

In the times of the sūtras, some sages wanted to hold a high ideal. The Āpastamba-dharma-sūtra[16] seems to have declared that when a man has a wife who may be seen to have possessed dharma and progeny, he shall not marry another wife, but if any one of the two qualities may be found lacking in the case of the wife, the husband may marry another before he has consecrated sacred śrauta-fires. Nārada[17] also recommends that the king should bring round to the proper path by inflicting heavy fines on a husband who abandons his wife though she appears to be obedient, vigilant, chaste and endowed with sons. Even Kauṭilya[18] prescribes that a husband should wait for eight years before marrying another if his wife does not give birth to any child.

He should wait for ten years if she bears only still-born children, and twelve years if she gives birth to daughters only. Even after getting daughters the husband needs a son he may marry another.

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14 33.1.
15 IV. 5. 1-2 and 11.4.1.
16 ii. 5.11.12-13.
17 Strīpuṃsa V.95.
18 111.2.

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If he violates this rule, he is required to pay her gratuity, some wealth as strīdhana and money on supersession and besides a fine of twentyfour panas to be paid to the King. Manu[19] and Baudhāyana[20] prescribe similar injunctions as that of Kauṭilya. Yājñvalkya[21] also refers to such alimony as prescribed by Kauṭilya to be paid to the king and the ādhivedanika by the erring husband. However, Kauṭilya appears to have stated only the ideal state in this passage because in another statement he probably has given vent to the popular view by stating thus a man may marry several wives after giving śulka and strīdhana to those to whom nothing had been given at the time of marriage and money on supersession (ādhivedanika) and suitable provision for livelihood, for women are married for procreating sons. The rules prescribed by the religious texts restricting a man's marriage for the second wife, when the former is still alive, without sufficient reason do not appear to have been rigidly enforced by the king. The Ādiparva[22] of the Mahābhārata states that the possession of many wives does not incur adharma on the part of a man but to violate the duty owed to the first husband would be a great adharma in the case of women. The Mausala parva[23] of the Mahābhārata tells that Vasudeva Kṛṣṇa had sixteen thousand wives. Devala quoted in the Gṛhastharatnākara[24] states that a Śudra may be entitled to marry one wife and a Vaiśya two, a Kṣatriya three and a Brāhmaṇa four wives and a king as many as he liked.

The second part of Megasthene's statement that brides were purchased from their parents for a yoke of oxen does not appear to be baseless since we read in the Maitrayāṇīya Saṃhitā[25] 'she indeed

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19 IX.81
20 11.2.65.
21 11.148.
22 I.160.36.
23 V.6.
24 P.85.
25 I.10.11.

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commits falsehood (or sin) who being purchased by her husband roams about with other males'. Another passage of the Veda may be referred to along with a passage in Pūrvakṣa in Jaimini,[26] which denies women to have a right to take part in Vedic sacrifices states, 'one should give to the daughter's father, a hundred cows plus a chariot'. Jaimini[27] replies that the giving of a hundred cows with a chariot may not be obligatory for purchasing a bride but it may be the duty that a hundred must be offered as a present. This amply proves that even if some girls were purchased for marriage at the times of Maitrayāniya Saṃhitā there seemed to have a popular revulsion of sentiment about this practice and the same of girls was severely condemned.

From the Aśvalāyana,[28] Gautama,[29] Baudhāyana[30] and Manu[31] we learn that the forms of marriage would be eight in number, viz., Brāhma, Prājāpatya, Ārṣa, Daiva Gandharva, Āsura, Rākṣasa and Paiśāca. But this order of marriage was not however mentioned in the Viṣṇu-dharma-sūtra.[32] Yājñvalkya,[33] Nārada[34] and Kauṭilya[35] in his fifty ninth prakaraṇa and the Ādiparva[36] of the Mahābhārata seem to have arranged the forms of marriage as above but Aśvalāyana gṛhya-sūtra arranges those as Brāhma, Daiva, Prājāpatya and Ārṣa while Viṣṇu seems to have arranged them as Brāhma, Daiva, Ārṣa and Prājāpatya. The same text[37] appears to have placed Paiśāca before Rākṣasa. The Mānava gṛhya-sūtra speaks of only two

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26 VI. 1.10-11.
27 VI.1.15.
28 I.6.
29 IV.6-13.
30 I. 11.
31 III. 21.
32 24. 18-19.
33 I.58.
34 Strīpuṃsa, Verses 38-39
35 III.I.
36 102. 12-15.
37 I. 6.

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forms namely Brāhma and Śaulka i.e., Āsura, probably because these two were the forms most current. Āpastamba[38] refers to only six omitting Prājāpatya and Paiśāca while Vasiṣtha[39] expressly says about only six forms of marriage viz., Brāhma, Daiva, Ārṣa, Gāndharva, Kṣatra and Mānuṣa, the last two being the same as Rākṣasa and Āsura. The Brāhma form of marriage seems to be such where the father was supposed to give his daughter decked with ornaments and jewels to a learned man of good conduct invited by Daiva from the father was required to give his daughter decked with ornaments to a priest who duly officiates at a sacrifice during the course of its performance. In Ārṣa the father had to give his daughter after receiving from the bridegroom a pair of cattle but the pair is given not as a price but it may be regarded as one of the ways of effecting a marriage. In Prājāpatya marriage the father was required to give his daughter after addressing the couple with the text. "May both of you perform together your duties". Āsura may be such where the bridegroom would receive a maiden after having given as much wealth as he could afford to the Kinsmen and to the bride herself. The union of a girl and the bridegroom by their mutual consent may be known as Gāndharva which springs from the passion of love and the intercourse would be its only purpose. The forcible abduction of a maiden from her home may be termed as Rākṣasa marriage. Paiśācaca may be defined as such where a man by stealth seduces a girl who may be found sleeping, intoxicated or disordered in intellect. This type of marriage appears to be most sinful of all forms.

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38 II. 5.11. 17-20-11. 5.12.1-2.

39 I. 28-29.

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In the first four forms the transfer of girl takes place as a gift made (Kanyādāna) by the father or any other guardian to the bridegroom and these forms appears to have been approved by different authorities. The last one i.e., Paiśāca form seems to be universally condemned and the seventh i.e., Rākṣasa form may be generally commended only in the case of Kṣatriya. On the whole, it may be noted that though the authorities appear to have differed in their opinion both in regard to the number of the forms of marriage as well as their suitability, all of these forms seem to have been in vogue. It is interesting to note in this connection the statement of Megasthenes regarding the gifts of "a yoke of oxen", by the bridegroom. This proves the popularity of the Ārṣa form of marriage in the fourth century B.C.

In the Ārṣa form of marriage, the father of the bride used to receive a pair of cattle from the bridegroom. This form may have been regarded as inferior to the Brāhma form.

But the pair of cattle which was required to be given by the bridegroom to the bride's father should not be considered as a price for the bride but for effecting a marriage. This explanation seems to have laid down by the śāstras. Jaimini[40] in one passage appears to have emphasised upon giving of a hundred with a chariot which however does not amount of purchasing a bride but it seems that it would be a duty that an offer denominating hundred should be made as a present. Āpastamba[41] in this connection finds a justification of making present and suggests that

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40 VI. 1.75.

41 11. 6.13.11.

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one should give a hundred cows besides a chariot to the girl's father and that gift should be made to the married couple. It may be probable that the desire of offering present seems to have originated from the desire of the father to give status to the daughter and her sons and also may be regarded as a fulfilment of duty not as a sale transaction. But Vasiṣṭha[42] appears to have approved the view of Āpastamba and expresses his view from quoting Maitrāyāni Saṃhitā that the gift of one hundred may be given in the case of all Āsura form of marriage. Megasthenes as quoted by Strabo[43] while enumerating last of the seventh caste Strabo that inter-marriage between the castes was prohibited. Siculus[44] and Arrian[45] hold the identical view. Hieun Tsang[46] also states that "the members of a caste marry within the caste, the great and the obscure keeping apart." These observations undoubtedly suggest that intercaste marriage was not prohibited. Before the dharma and gṛhya sūtras were formed caste as implied in modern usage and in its strict sense probably did not exist. We have seen that the four varṇas had been recognised in the times of the Saṃhitās and that the ideas of superiority and inferiority due to being a particular varṇa had become quite prevalent. But the practices as to marrying outside one's varṇa and taking food had not become as rigid as they became in medieval times. Hence intercaste marriage may be supposed to have existed before the sutras were condified. The observations of the classical and Chinese

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42 I. 36-37.

43 Cf. Megasthenes as quoted by Strabo (McCrindle, op.cit., pp.85-86. Majumdar, R.C. Classical Accounts of India, p. 288.

44 Siculus (McCrindle, op.cit., p.41, Majumdar, op.cit., p.238

45 Arrian (McCrindle, op.cit., p. 218, Majumdar, op.cit., p. 256.

46 Watters, Yuan Chwang's Travels in India, Vol.I, p. 168.

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authors as to the intercaste marriage were not baseless since Āpastamba[47] suggests that one should marry a girl of the same varṇa, the girl was not given before to another and marriage with whom appears to have performed in accordance with Śāstra and further says that by transgressing these rules, sin may be incurred. The Mānava gṛhya sūtra[48] and Gautama[49] suggest that one should marry a girl of the same varṇa but do not appear to have prescribed what would be the effect if marriage takes place with a bride of another varṇa. Manu,[50] Śaṅkha and Nārada[51] unequivocally recommend that the best course would be to marry a girl of one's own caste. This is held to be purva kalpa i.e., the best possible course. Many textual references like that of Baudhāyana,[52] Śaṅkha Manu[53] and Viṣṇu[54] seem to have suggested that anukalpa in which a Brāhmaṇa may be allowed to marry a woman of his own caste or a Vaiśya or a Śūdra woman. But Vasiṣṭha[55] appears to have condemned it severely by saying one should not do so i.e., marry a Śūdra girl for by doing so the status of family might degrade and would lose the opportunity of going to heaven after death. A Śūdra may be allowed to marry a Śūdra woman only. Viṣnu[56] and Manu[57] however, appear to have allowed a Brāhmaṇa to marry a Śūdra girl. This sanction does not seem to be their own opinion for they had to yield to the practices and sentiments prevalent in their time. Viṣnu[58] denounced the marriage of a Brāhmaṇa with a Śūdra girl and seems to have pointed out that a dvijāti with a Śūdra can never produce a child of religious merit. The ancient editor of Manusmṛti[59] did not

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47 II.6, 13,1 and 3.
48 I. 7.8.
49 IV.I.
50 III.12.
51 StrIpumsa, Verse 4-5.
52 I. 8.2.
53 III.13.
54 24.1-4.
55 I. 25.
56 24-14.
57 III.13.
58 26-5-6 (S.B.E. Vol.7, p. 112).
59 III. 12-13.

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tolerate such marriages although he gave expression to the common trend of view and seems to have condemned a dvijāti's marriage with a Śūdra girl. Viṣṇu[60] describes the same marriage in the strongest term like Manu.[61] Yājñvalkya[62] has allowed a Brāhmaṇa or Kṣatriya to marry a girl of his own varna or of the varṇas next in order but advises that dvijāti should not marry a Śūdra girl. It appears, however that the prevailing public opinion and practice was too much in favour of Manu and Yājñvalkya for both the smṛtikāras - Yājñvalkya[63] and Manu[64] have declared that when a Brāhmaṇa has sons from four wives of the four varṇas, the wealth should be aportioned amongst sons from the wives of four varṇas in descending scale i.e., the son of a Brāhmaṇa wife would receive the four shares out of ten in which the wealth is required to be divided. The son of a Kṣatriya wife would be entitled to get three shares and similarly of a Vaiśya wife to shares and of a Śūdra wife one share. Yājñvalkya[65] thus recognises the marriage of a Brāhmaṇa with a Śūdra and says that a son of each union would be Pāraśava. Manu[66] also recognises the marriage of a Śūdra girl with one of a higher caste by saying that she holds the hem of the garment of a bridegroom of a higher class. Hieun Tsang[67] also refers to the existence of numerous off-springs of mixed marriage but does not mention it in categorical terms. In the days of Kālidāsa it seems that the mixed marriage was in vogue since in the Mālavikāgnimitra[68] the father of the queen Dharīni appears

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60 26.5. 61 III.15. 62 1. 57.
63 II. 125. 64 IX.152-153. 65 I. 91-92.
66 III. 44.
67 Watters, On Yuan Chwang's Travels in India, Vol.I, p. 168.
68 1st Act.

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to have married a woman of the Vaiśya or Śūdra caste. It may be probable that the system of anuloma marriage was prevalent of which Hieun Tsang has mentioned.

In the Mṛcchakaṭika[69] we find similar instance where mixed marriage was prevalent although a courtisan could never usurp the place of a legally wedded wife but the fact that Vasantasenā afterwards appears to have been invested with the title of a 'Badhū'.[70] This transference seems to be significant and probably points to mixed marriage being in vogue in those days.

In the drama Cārudatta,[71] Bhāsa tries to refer to the marriage between Sajjalaka and Madanika, and Cārudatta and Vasantasenā were of anuloma type and hence we can conclude that the anuloma marriages were prevalent during Bhāsa's time.

The above discussion shows that ancient Smrtis probably recognised marriages between a Brāhmaṇa and a Kṣatriya or a Vaiśya girl. But opinion was not unanimous about such marriage. Even if such marriages did take place, very frequently those were looked down upon. Anuloma marriages were frequent enough till the 9th or 10th century A.D. but became rare later and for the last several hundred years they hardly ever took place or they were not at all recognised as valid by the communities concerned. The Epigraphic records seem to have furnished well authenticated references to intercaste marriages. The Poona plates of Prabhāvatī guptā[72] establish that she was a daughter of Candragupta II who ruled

69 Act VIII.
70 Act. X.
71 A Pusalkar, Bhasa - A Study 1968, p. 374.
72 Epigraphica Indica, Vol. 15, p. 39.

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during the first quarter of the fifth century A.D. of the Imperial Gupta dynasty and became the chief queen of the king Rudrasena II of the Vākāṭaka dynasty, who was by caste a Brāhmaṇa and belonged to the Visnuvṛddha Gotra. The Epigraphica Indica further refers to Talagunda pillar inscription of the Kadamba king Kakusthavarman in which it appears that Kakusthavarman, supposed to be the fourth descendant from Mayūrśarman, founder of the Kadamba family, got his daughter married to Gupta and other kings. In the Ghaṭotkaca Inscription of Yaśodharman and Visnuvardhan[73] we learn that Soma, a Brāhmaṇa and ancestor of Hastibhoja, minister of the Vākāṭoka King Devasena, gave his heart to wives born in Brāhmaṇa and Kṣatriya families.

Hieun Tsang[74] informs us that a man should marry a girl of his own caste. He further enlightens us that "relations whether by the father's or the mother's side do not intermarry and a woman never contracts second marriage". The first part of the Chinese scholar's observation probably relates to the well known endogmous character of Indian marriage which clearly states that there were certain restrictions even in respect of marriage within the caste. There were people belonging to one particular caste having the same gotra or pravara but were forbidden for marriage since they fall within a certain degree of sapinda relationship. The restriction in choosing a girl for marriage refered to by the Chinese pilgrim, seems to have been based on the prescriptions of ancient Indian authorities. Some of these authorities prescribe that marriage should be prohibited where sapinda relationship arises. Regarding the meaning of sapinda there are however two schools,

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73 Archaeological Survey of Western India, Reports, Vol. IV, p. 140.

74 Watters on Yuan Chwang's Travels in India, Vol.I, p. 168.

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one represented by the Mitākṣarā and the other by Jimuta Vāhana author of Dāyabhāga school. According Dayabhaga, piṇḍa seems to be a ball of rice and sapinda means 'one who is connected with another through oblations of food'. Both the schools unequivocally appear to have declared the prohibition of a man's marriage with a Sapiṇḍa girl. Yājñvalkya[75] seems to have defined sapiṇḍa as one who arises from being connected by having a body or particles of the body. Even the prohibition against marriage with a sapiṇḍa girl applies to all varnas including the Śūdras. The word Piṇḍa occurs in the RgVeda[76] and the Taittirīya Saṃhitā[77] when it seems to mean 'a part of the body of the sacrificial animal thrown into fire as an offering'. Here it seems clear that the word piṇḍa does not stand in the sense of 'ball of rice'. But in the Taittirīya Saṃhitā[78] and in the Śatapatha Brāhmaṇa[79] the word piṇḍa means a 'ball of rice' offered to the Manes. The Nirukta[80] twice employs the words 'pindadānāya' which indicates balls of rice. But the word sapiṇḍa hardly ever occurs in the Vedic literature and we have no means of judging in what sense it was used in the Vedic literature. In the Dharmasūtra of Gautama,[81] Āpastamba,[82] Vasiṣṭha[83] and Viṣṇu[84] the word sapiṇḍa occurs frequently and they show a close connection between offering of piṇḍa and the taking of inheritance. Thus, the son has sapiṇḍa relationship with the father by reason of the fact that particles of the father's body continue in him. Similarly there exists sapinda relationship with the paternal grandfather and the like because through the grandson's father particles of the body of the grandfather

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75 I. 62.
76 1. 162.19.
77 IV.6.9.3.
78 II. 3.8.2.
79 II. 4.2.24.
80 III. 4 and 5.
81 14, 13, 28, 21.
82 II. 6, 14,2.
83 IV. 16-18.
84 15.40.

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seem to have continued in the grandson. Likewise the son seems to have sapiṇḍa relationship with his mother because particles of the mother's body continue in him. Thus a person may have sapiṇḍa relationship with his mother's father through his mother. So one has sapiṇḍata with one's mother's sister or mother's brother also by reason of the connection with particles of the same body. Similarly, the wife has sapiṇḍa relationship with the husband because she produces with the husband their son. In this manner whenever the word sapiṇḍa occurs there remains a connection with the particles of the same body either directly or mediately. This however, may prove to be too wide a statement since in his word, such a relationship might exist in some way or other between all men. Therefore Yājñvalkya seems to have restricted the sapiṇḍa relationship i.e., after the fifth on the mother's side and after the seventh on the father's side.

The second part of Hieun Tsang's statement probably indicates marriages which occur in the cases of widows since his statement does not make us clear whether the woman referred to by the Chinese scholar was married or not. It seems that the writer probably might have noticed such women who were not married even after loosing husbands. But there were provisions in Indian texts where marriages of widows were not infrequent since the smṛtikāras seem to have used the expression Punarbhu which may be applied to a widow that has remarried. Nārada[85] prescribes that there were seven sorts of wives who were married to another man. In the Mudrā Rākṣasa[86] re-marriage seems to be allowed within the gotra or family of the deceased husband on certain conditions for all classes of people and it was only women of low classes or character that transgressed

85 Strīpuṁsa Verse. 45.

86 VI. 5.

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this rule and took the liberty of marrying even outside the gotra of their deceased husband. It appears that widow marriage was permitted so long as Sūtrakāras did not codify the rules.

The Saṁskāraprakāśa of Mitramiśra quotes a text of Kātyāyana to the effect that a girl who has gone through the ceremony of marriage with a sagotra may be married again. But the text probably refers to the state of society in another yuga. Manu[87] himself allows the Saṁskāra of remarriage in the case of a girl whose first marriage has not been consummated or who left the husband of her youth went to live with another and returned to the first husband. In this the author probably confirms the popular usage which was too much for him inspite of his own view expresses in the earlier sūtra.[88] So it may be taken that Manu does not forbid the use of mantras in re-marriage but holds that even after the mantras have been recited the re-marriage of widow can not be said to be dharmya (approved). The authorities seem to have allowed that the re-marriage of a woman even the death of her husband had been determined but only presumed which Manu however has condemned. Nārada[89] has suggested that a wife of Brāhmaṇa caste shall wait for eight if her husband has gone to a country without leaving a son but four years if she has a child. After eight or four years as the case may be she may resort to another man. Nārada however lays down lesser number of years for the wives belonging to Kṣatriya or Vaiśya caste. If the husband is known to be living then the periods prescribed would become double. Prajāpati suggests that if the news of the husband remains unheard, a woman incurs

87 IX.176.

88 V.162.

89 Strīpuṁsa, Verses 98-101.

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no sin if she resorts to another man in such cases. Manu[90] however holds the idea that if a man has gone to a foreign land for doing some religious duty, the wife should wait for him for eight years ; six years if he has gone for acquiring knowledge and three years if he has gone on a love affair or for securing another wife. Manu does not however inform us what the wife would do after these years of waiting. Vasiṣṭha[91] requires that 'the wife of one who has gone to a foreign land should wait for five years and after the period she should go near her husband. Vasiṣṭha does not seem to have indicated the way through which the wife would be able to reach husband if the whereabouts remains unknown. The sūtrakāra does not throw any light on this point[92] ; Kauṭilya[93] prescribes that the wife of one, who appears to have gone outside for long time or has become a reculse or died, would be required to wait for a year if she bears a child already. Thereafter she may be allowed to marry even the full brother of her husband. If there be many brothers, she should marry one who may be near in age and virtuous, capable of maintaining her. She may even marry the youngest unmarried brother. If no such brother exists, an option seems to have been on the part of the wife to marry even a sapinda of the husband or person belonging to the same caste. The story of Damayantī suggests that when the husband was not heard for many years, a wife may be allowed to marry again. The Vanaparva of the Mahābhārata[94] refers to Nala and Damayantī episode where Damayanti was seen to have sent a message to Ṛtuparṇa that as Nala was not heard of for many years, Damayantī was going to celebrate a Svayaṁvara and Ṛtuparṇa hurries back and it was not supposed to be a strange thing.

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90 IX.76.

91 17. (75-76).

92 Kane, History of Dharmaśāstra, Vol.II, Part I, p. 613.

93 III.4.

94 20.24.

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Re-marriage of a child was however allowed by certain law-givers. Vasiṣṭha[95] probably holds the opinion that if the ritual required for marriage has been performed but the marriage itself has not been consummated, the girl should be married again. Baudhāyana[96] holds the identical view with Vasiṣṭha and in the opinion of Laghu-śātātapa[97] such a girl appears to be really a virgin and should be allowed to marry again. In one place of the Mahābhārata[98] it states that it would not be derogatory to a child-widow if she married again. And the sons produced by such marriage would be entitled to offer oblations to both gods and Manes. But in course of time the re-marriage of even a child widow had been prohibited. The expressions like bāla vidhavā and bāla-randa appear to have been referred to by foreigners and this testifies to the existence of a child widow who was keeping the vow of celibacy for the rest of live.

Siculus[99] has drawn our attention to the freedom enjoyed by Indian women who were not required to seek the parents' permission while choosing their husbands. Strabo[100] holds the same view and says that "the groom and bride choose one another themselves". The observations of Siculus and Strabo do not however appear to be unfounded since a verse of the RgVeda[101] amply testified to the liberty enjoyed by the Indian women in choosing their husbands. The verse states that 'when a bride appears to be fine and well adored, she by herself seeks her friend from among men'. That shows that girls were grown up enough to select

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95 XVII,66.
96 II.2.47.
97 V.44. Cf. Altekar, Position of Women in the Hindu Civilisation, p.154.
98 XIII.55.7.
99 R.C. Majumdar, Classical Accounts of India, p. 240.
100 Ibid, p. 259.
101 X.27.12.

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their husbands. Some of the verses in marriage hymn[102] seems to have indicated that married girls could not have been child wives but were quite grown up. The mutual settlement of marriage probably has a reference to Gāndharva and Svayaṁvara form of marriages. There are however two verses of the RgVeda[103] in which it has been stated that girls were married before they had attained puberty. Thus in one place, a wife has been found asserting her husband that she bears fully developed body and has abundant marks of complete puberty on her body. But this statement it seems does not remove the misapprehension of an ignorant husband and the wife thereafter makes her maturity clear in the privacy of the bedroom to excite the passion of her husband who had previously expressed his exuberant appreciation of her amorous skill. It appears to be highly probable that marriage in the Vedic age took place when the parties were sufficiently grown up. Altekar, after analysing the evidence furnished by the epics and the Buddhist literature has remarked that brides in cultured families used to be married at about sixteen.[104] In the Dhammapāda[105] the women seem to have been described as eagerly pining for being united with husbands. Brides in the Jātakas were also seen to be grown up. We often come across love affairs mentioned in these texts. In the Therīgāthā[106] we find a maiden named Paṭacharā eloping with her lover because her parents would not sanction her contemplated marriage. Sītā, Kuntī and Draupadī[107] were fully grown up at the time of their marriage.

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102 X.85. 26-27, 46.
103 I. 126. 6-7.
104 Altekar, The Position of Women in Hindu Civilization, p. 52.
105 102.
106 No. 47 commentary.
107 Op.cit., p. 52.

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Siculus[108] however indicates that when in these old times espousals were made between persons of immature age, mistakes of judgement were of frequent occurrence, and when both sides repented their union, many of the women became depraved, and through incontinence fell in love with other men, when at last they wished to leave the husbands they had first chosen but could not in decency do so openly, they got rid of them by poison'. This passage therefore indicates that sometimes marriages were decided upon between persons of immature age and as a consequence such choice often proved unwise. Nothing more than this seems to have been referred to by Siculus, and he also has not stated in his account the age of the parties. Megasthenes[109] however has made it clear about the age which the bride was required to have attained at the time of marriage. He mentions that the girls were married at the age of six or seven. He further says that the women of the Pāndaian kingdom were supposed to have given birth to children at the age of six. We further learn from Arrian[110] that in that part of the country where the daughter of Herackles reigned as queen, it is stated that the women when seven years old are of marriageable age and that the men live at most for fifty years and that on this subject there is a tradition current among the Indians to the effect that Heracles whose daughter was born to him late in life, when he saw that his end was near, and he knew no man his equal in rank to whom he could give her in marriage, had incestuous intercourse with the girl when she was seven years of age in order that a race of kings sprung from their common blood might be left to rule over India, that Heracles therefore made her of suitable

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108 Siculus Frag. 30, Cf. R.C. Majumdar, Classical Accounts of India, p.240.

109. Megasth. Frag. I.I.

110 Arrian, Frag. IX. Cf. R.C. Majumdar, Classical Accounts of India, p. 222.

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age for marriage, and that in consequence the whole nation over which Pāṇḍaia reigned obtained the same privilege.' Arrian probably expresses doubt about the practise by indicating that 'if Heracles could have done a thing so marvellous, he could also have made himself longer lived in order to have intercourse with his daughter when she was of mature age.[111] But referring to the statement made by Megasthenes that the very fruits of the country ripened faster than fruits elsewhere and decayed faster. But he says that 'if the age at which the women were marriageable is correctly stated, it seems quite consistent in so far as it relates to the age of death i.e., that those live longest die at forty, for men who come so much sooner of old age, and with old age to death must of course flower into full manhood as much, earlier as their life ends in earlier.' According to him, therefore, and it would be quite reasonable that 'men of thirty would then be in their green old age and young men at twenty be past puberty, while the stage of full puberty would be reached at about fifteen. And quite compatible with this, the women might be marriageable at the age of seven. Dr. A.S. Altekar[112] does not pay much importance to the information supplied by the Greek authors. He says that this contention about the age of marriage of the girls seems to have been based primarily on Megasthenes where he states that among the Pāṇḍyas who lived in Mādurā and Tennevelly districts, girls used to be married at the age of six. At the outset, it may be pointed out that the Greek ambassador does not make this statement about the girls of Pāṭaliputra of which he had first hand information but about the brides of Pāṇḍya country which he had never visited. He had no first hand information

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111 Op.cit., p. 222.

112 The Position of Women in Hindu Civilisation, p. 55.

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about South India, and he makes his statement on the authority of a here-say report which gravely asserted that girls in that country could conceive the age of seven because favour conferred on its women by Heracles when he had visited the area.

Marriage at the age of six and conception at the age of seven seem to be as true as Heracles' visit to South India. The data of Greek authors do not however invaliadate the conclusion that girls were usually married at about the age of fourteen or fifteen during Mauryan period,

In Gobhila[113] Śāṅkhyāna,[114] Khādira[115] and Pāraskaragṛhya sūtra[116] prescribe a rite known as 'caturthikarma' to be performed on the fourth day of marriage which according to Kane[117] corresponds to the garbhādhāna of Yājñvalkya.[118] As co-habitation seems to have expressly mentioned in connection with this rite performed on the fourth day after marriage, it follows that girls were probably quite grown up at the time of marriage. It seems that till the beginning of the Christian era, it did not matter at all if a girl was married a few months before or few years after attaining puberty. But by about 200 A.D. when Yājñvalkya smṛti was composed popular feeling had insistent on pre-puberty marriages. The reasons for this change do not appear to be very clear. But it seems possible to hold that it was due to the fact that Buddhism had spread far and wide during these centuries with its encouragement of the

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113 II.5. 114 I.18-19. 115 I.4.12-16.

116 I.11.

117 Kane, History of Dharmaśāstra, Vol.II, Part I, p. 441.

118 I.11.

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institution of monks and nuns. There seemed that laxity of morals among nuns had grown. A further reason may be suggested viz., that girls had generally ceased to study anything though some of them certainly did study in times of Pāṇini and Patañjali and so society did not like girls to remain doing nothing. Preference for pre-puberty marriages however were based on Dharmaśāstra of Gautama, Baudhāyana and Vasiṣṭha. Though Gautama[119] prefers pre-puberty marriage, he suggest that a marriageable girl should allow three monthly periods to pass and afterwards unite herself to a blameless man of her own will. Manu[120] says that a maiden after attaining puberty may wait for three years but after this period she should seek a husband who seems to have resemblance with her. Baudhāyana[121] and Vasiṣṭha[122] have the same view which Manu has prescribed. The Anuśāsanaparva of the Mahābhārata[123] points to the same effect. Both Baudhāyana[124] and Vasiṣṭha[125] seem to have added that the father or guardian incurs sin of destroying an embryo at each appearance of menses as long as the girl remains unmarried. Yājñvalkya[126] and Nārada[127] holds the same view.

From the times of the RgVeda[128] there had been a mystical belief that Soma, Gandharva and Agni when the divine guardians of a girl and the grhyāsaṁgraha quoted in the commentary pon Gobhila gṛhya[129] says that Soma enjoys a girl first, then Gandharva enjoys her when her breasts appear to have developed and Agni when she begins to menstruate.

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119 XVIII. 20-23.
120 IX.89-90.
121 IV.1.14.
122 17. 67-68.
123 44.16.
124 17.70-71.
125 IV.1.12.
126 I.64.
127 Strīpuṁsa, Verses 25-27.
128 X.85.40-41.
129 III.4.6.

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Therefore, a feeling arose that a girl must be married even before she developes any distinct signs of feminity. Saṁvarta[130] gives expression to this idea. Further since marriage came to be or looked upon as the upanayana in the case of women, naturally the age for upanayana i.e., 8th year came to be looked upon as the proper age for marriage. It came to be believed that there was no hope of going to heaven for a woman who died unmarried. In the Śalyaparva of the Mahābhārata[131] we have the story of a girl, daughter of Kuṇi garga, who practised severe penance till she reached old age and yet was told by Nārada that if she died unmarried she would not go to heaven. The women induced Śṛngavat of the Gālava family for a day previous to her death to marry her by the promise of giving him half of her merit (punya). The Laugākṣi gṛhya[132] says that 'brahmacarya' for girls lasts till the 10th or 12th year. The Vaikhānasa[133] says that a Brāhmaṇa should marry a Brāhmaṇa girl who happens to be nagnikā or gauri. Nāgnika has been defined as a girl over eight years but less than ten and gauri as one who appears to have reached the age between ten and twelve and has not had menstruation. Aparārka[134] quotes the Bhaviṣya purāṇa to the effect that nagnikā may be one who seems to have reached the age of ten. Parāśara says that a girl of eight may be called a gaurī but one who appears to have attained the age of nine may be called rohiṇi. One who attains the age of ten may be termed as Kanyā. Beyond ten years she may be a rajasvalā. Parāśara adds that the Brāhmaṇa who marries such a girl should not be spoken to or admitted to dinner in the same row and that he becomes the husband of a vṛsalī. On the other hand the Vāyupurāṇa[135] extols the

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130 Verses 64 and 67.
131 Chap. 52.
132 19.2.
133 VI.12.
134 P.85.
135 82.44.

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marriage of a gauri by stating that the son of a gauri would be supposed to have purified 21 ancestors on his father's side and 6 male ancestors on his mother's side. Saṁvarta[136] seems to have referred to the same two verses as Parāśara[137] and winds up by saying that the marriage of a girl of eight could be recommended highly.

Kaśyapa as quoted in the Gṛhastharatnākara of Caṇḍeśvara[138] states that a girl may be called a gauri when she appears to have attained the age of seven, Kanyakā when she reaches the age of ten and Kumārī when she may be of twelve. It will be noticed that the Smṛtis of Vaikhānasa and Kaśyapa appear to have differed from Parasara in respect of the definition of gauri. Further the three smrtis seem to have condemned marriage of a girl after puberty which the texts consider as an extremely sinful act and decried not only the parents but also the husband while Baudhāyana prescribed only a slight prāyaścitta for the father alone if there was a menstruration during the marriage rites. According to the Araṇyakāṇḍa[139] of the Rāmāyaṇa, Rāma and Sītā were said to have been respectively 13 and 6 at the time of marriage. But this passage appears to be an interpolation. In the Bālakāṇḍa it seems that Sītā and her sisters enjoyed private alliance with their respective husbands immediately after marriage. If this may be true then Sītā could not have been only 6 at the time of marriage.

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136 Verse 65-66.

137 VII 6 and 8.

138 P.46.

139 47.10-11.

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The rules that Brāhmaṇa girls were supposed to be married between 8 and 10 years became general from about the 6th or 7th century A.D. and continued down to modern times. The Anusāsana parva of the Mahābhārata[140] also mentions 30 and 10 or 21 and 7 as the proper ages of the bridegroom and the bride. These however must be adjudged as exceptions proving the prevalence of marriage of grown up girls. The Buddhist texts also support this view. These rules about the proper age for marriage of girls affected only the Brāhmaṇas. The Sanskrit poets and dramatists always have depicted the heroines in their works as grown up at the time of marriage and even Bhavabhuti imagines that Mālati, the heroine of his romantic drama of Mālatimādhava had been so grown up that it was practically a case of love at first sight. Vaikhānasa[141] requires a Brāhmaṇa bride to be nagnikā or gauri but does not prescribe the same qualifications for a Kṣatriya or Vaiśya bride. The Saṁskāra prakāśa expressly says that there exists no bar against marrying a girl who appears to have crossed the age of puberty for Kṣatriyas and others. The Gṛhastharatnākara of Candeśvara[142] quotes a passage from Brahmapurāṇa where the injunction to observe complete celibacy for one year, 12 days, 6 days or 3 days seems to have been prescribed for the girls whose ages were 8, 12, 16 or 20 at the time of marriage.

According to Nearchus[143] the Indians "marry without either giving or taking dowries". The statement of Nearchus reveals that dowry was treated as an optional aspect of marriage. But from the

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140 44.14. 141 VI.12. 142 p. 85.

143 Arrian XVII Cf. R.C. Majumdar, Classical Accounts of India, p.251.

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RgVeda[144] and the Atharva-veda[145] we learn that dowries were not infrequently given especially when damsels suffered from bodily defects. A verse of the RgVeda[146] further supplies us information about a generous brother giving his sister a dowry in order to get her a husband. Although the system of payment of dowry had been in vogue it did not stand as an impediment in a daughter's marriage in ancient India. In premitive times it was the bride's father and not the bridegroom's who would be justified in demanding a payment at the time of marriage. The bridegroom carried away the bride and deprived her family of her services. He could not have dreamt of demanding a further dowry or donation. Such a request if ever made, would have been summarily turned down as preposterously unreasonable. The wife in these early times used to get no proprietory rights in her husband's family. Nor had her father-in-law to provide any expensive education to her husband.

Dowry system, therefore was generally known in early societies. In royal families and among those who were affluent some gifts were given to the sons-in-law at the time of marriage. The practice of offering dowry to the son-in-law may be noticed in the case of Drupada who had given gifts to all the knights, horses, elephants, women slaves etc.[147] King Virāta also gave his son-in-law at the time of his daughter's marriage seven thousand horses and two hundred elephants.[148]

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144 VI. 28.5 ; X.27.12.
145 V.17.12.
146 i. 109-2.
147 i. 198.15.
148 iV.72.36.

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Subhadrā and Uttrā also brought with them rich presents of horses, elephants and jewels at the time when they left their parent's home after their marriage. The Atharvaveda[149] incidentally refers to royal brides, bringing with them the dowry of hundred cows.

The Jātakas[150] often describe how very valuable presents were given to the bridegroom when rich merchants like the father of Viśākha sent their daughters to their husband's homes. Inscriptions often refer to rich marriage presents given at the time of marriage of princes. Kālidāsa[151] says that handsome presents were sent by the king of Vidarbha at the time of the marriage of Indumati. These presents however can hardly be called dowries for they were voluntarily made after the marriage out of pure affection. There seems no references either in the Śṛmtis or in dramas to the payment of dowry i.e., to a pre-nuptial contract of payment made by the bride's father with the bridegroom or his guardian. If the custom had prevailed anything like its present form, it might have been vehemently condemned by the Smṛti writers. But we meet with no such condemnation. Smṛtis no doubt prescribe that the bride should be given in marriage along with suitable ornaments but the number and price of such ornaments seem to have been left entirely to the discretion and ability of the bride's father. A pre-nuptial contract in this respect can not be contemplated nor countenanced.

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149 V.17,12.
150 Altekar, The Position of Women in Hindu Civilisation, p. 70.
151 Raghuvaṁśa, VII. 32.

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The dowry system may be connected with the conception of marriage as a dana or gift. A religious gift in kind may usually be accompanied by a gift in cash or gold. So the gift of the bride also was accompanied by a formal and small gift in cash or ornaments. The amount of the gift appear to have been a nominal one for long time and did not create any impediments in the settlement of marriages.

Strabo[152] while referring to the custom prevailing among the Catheans says that the groom and bride were required to choose themselves for marriage. He probably refers to the Gāndharva form of marriage. In the drama Avimāraka[153] of the Bhāsa the love marriage between Avimāraka and Kuraṅjī probably falls under the Gāndharva form. In the Pratijña Yaugandharāyaṇa[154] the match between Udayana and Vāsavadattā was cemented by love and hence as stated by king Mahāsena, the father of Vāsavadattā, this marriage was enacted under the Gāndharva form. It might, also come under the Rākṣasa form as Vāsavadattā was forcibly captured by Udayana. Marriage was a sacrament according to ancient sages and its principle aims were supposed to be the acquisition of merit by the performance of religious duty and to have progeny. The Gāndharva form was very much prevalent among royal families. In the Abhijñana Śākuntalam[155] of Kālidās, prince Dusyanta married Śākuntala according to the Gāndharva rite. A passage interpolated in the Mahābhārata[156] in later times no doubt represents Śākuntala calling a priest for the performance of the religious rites before proceeding to

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152 Strabo Frag. 50 Cf. R.C. Majumdar, Classical Accounts of India, p.259.
153 Act. II.
154 Act. III.
155 Act. III.
156 1.94.38.

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consumate her marriage although religious rites do not precede the union in case of Gāndharva marriage. This version of the story seems to be inconsistent with the one given by Kālidāsa in his Śākuntala. If further contradicts the defination of Gāndharva marriage as given in the epic itself. When Kaṇva proceeds to express his approval to his daughter's action, he incidentally defines the Gāndharva marriage as a love union brought about without any Mantras.[157] Baudhāyana[158] approves the Gāndharva form of marriage when he refers to the view of certain authorities stating that love unions ought to be commended, as they pre-suppose reciprocal attachment. Manu[159] and Nārada[160] recommend that Gāndharva form can be resorted to by the people of all varṇas. The Kāmasūtra[161] further speaks of the Brāhma as the best following the view of the Dharmaśāstras. Then it gives its own opinion that the Gāndharva[162] may be the best. Devala quoted by Kullūka, however, lays down that even in a Gāndharva marriage the rituals should be performed after the union and the possible objection of reciting mantras seems to have been based on the ground that the ritual primarily relates to Kanyā or virgin. The idea was that mantras could be chanted only in case the bride was a virgin.[163] The formal celebration of the marriage thereafter served the purpose of the incident of marriage being announcement to society and this also gave an opportunity to the relations and friends to share its joy.[164]

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157 IV.94.60. 158 1.11.13. 159 III.25.
160 Strīpuṁsa Verse 40. 161 III.5.28. 162 III.5.29-30.
163 See the commentary of Kullūka on Manu, VIII.226.
164 A.S. Altekar, The Position of Women in Hindu Civilisation, p. 43.

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Strabo[165] further enlightens us that among certain tribes, according to Nearchus, "the virgins are set before all as a prize for the man who wins the victory in a fist-fight. Arrian[166] also informs us the same thing as that of Nearchus who states that "women as soon as they are marriageable are brought forward by their fathers and exposed in public, to be selected by the victor in wrestling or boxing or running or by some one who excells in any other manly exercise". This would probably indicate a form of Svayaṁvara the reference of which may be as well be found in the RgVeda[167] which states that 'when a bride is fine looking and well adorned, she by herself seeks her friend from among men'. That shows that girls to be sufficiently grown up in order to select their husbands. This type of marriage, very often spoken of in the Dharmasūtras appears to have similarity in Gandharva as stated by the commentary of Vīramitrodaya.[168] Vasiṣṭha,[169] Manu[170] and Baudhāyana[171] describe the simplest form of Svayaṁvara when a girl spends three years after attaining puberty and within that period the father does not find a proper husband for her, such girl may seek her husband or she may seek her husband after three months from attaining puberty according to Gautama[172] and Visnu.[173] Yājñvalkya[174] also recommends Svayaṁvara to every girl when parents or other guardians who can find out a worthy husband for her fail to procure a husband for her. When a girl choses her husband under such circumstance Gautama[175] and Manu[176] suggest

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165 R.C. Majumdar, Classical Accounts of India, p. 179.
166 Ibid., p. 231.
167 X.27.12 ; I.119.5.
168 I. 61.
169 17.67-68.
170 IX.90.
171 IV. I.13.
172 18-20.
173 25.40-41.
174 I. 64.
175 18-20.
176 IX.92.

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that she had to return all ornaments given to her by her parents or brother and the husband, who married her had not to pay any śulka (dowry) to the father because the latter would lose his power over her by not giving her marriage in time. This simple Svayaṁvara may be applicable to girls of all castes.[177] Sāvitrī may have taken resort to this kind of Svayaṁvara after she had gone about in a chariot to find out a suitable husband for herself. But the Svayaṁvaras described in the two great epics may be regarded as spectacular affairs and those had been confined to royal families. The Ādiparva of the Mahābhārata[178] says that the Kṣatriyas fit for Svayaṁvara and resort to it but they would prefer a girl to be carried off after subduing her relatives. Bhīṣma carried away the three daughters of the king of Kāsī and got two of them Ambikā and Ambālikā married to his ward Vicitravīrya. The Greek description probably refers to this type of svayaṁvara. The svayaṁvara of Sītā or Draupadi did not depend upon the will of the bride, but the bride was required to be given in marriage to anybody who could display certain skill as a warrior. The Vanaparva[179] however refers to some what different picture in which Damayantī was a rich choice of her husband though she chose Nala in a vast and splendid assembly of royal suitors. Kālidāsa also gives us a fine description of the Svayaṁvara of Indumati in the Raghuvaṁśa.[180] Bilhana in his Vikramāṅka Devacarita[181] gives description of the historic Svayaṁvara of Candralekhā or Candaladevi daughter of Śilāhāra prince of Karahāṭa (modern Karad) when she selected Āhavamalla or Vikramāṅka, the Cālukya king of Kalyāṇa (of 11th century).

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177 Kane, History of Dharmaśāstra, Vol.II, Part I, p. 523.
178 102.16.
179 54 ff.
180 Act. III.
181 Canto IX.

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Such a Svayaṁvara it appears, was thought to be unsuitable to Brāhmaṇas according to the Ādiparva[182] of the Mahābhārata. In the Kādambari[183] Pattralekhā appears to have remarked that Svayaṁvara is ordained in the age of the Dharmaśāstras. From the Mahābhārata[184] it appears that even after Svayaṁvara, religious rites had to be performed.

Further it may be known from Strabo and Aristobulus that "those who by reason of poverty are unable to marry off their daughters lead them forth to the market place in the flower of their age to the sound of both trumpets and drums thus assembling crowds, and to any one who comes forward they first expose her rear parts upto the shoulder and then the front parts and if she pleases him and at the same time allows herself to be persuaded on approved terms, he marries her".[185] In the drama entitled Pratimā[186] of Bhāsa though we find that the marriage between Daśaratha and Kaikeyī do not appear to have formed the principal part of the drama yet it comes under the Āsura form since there exists pre-nuptial contract to pay dowry (śulka). In noticing some forms of marriage the Greek authors probably referred to the Āsura form of marriage. In such instances the girl is supposed to have been given away at the father's will after the bridegroom gives as much wealth as he can afford to pay to the relatives of the girl and to the girl herself. This variety of marriage may well be called the Āsura form. The idea of getting something from the party of the bridegroom probably has significance since it may be considered disgraceful for a girl and her family

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182 189.7.

183 Pūrvabhāga, Penultimate para of Kane's edition.

184 I. 195.7.

185 R.C. Majumdar, Classical Accounts of India, p. 297.

186 1.15.

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if she was given in marriage for nothing. It would mean that she was not worth any price and that her family had no status and respectability. The origin of the name of this form cannot be ascertained. Marriage by purchase seemed to be order of the day among Assyrians and this circumstances might have been responsible for the name Āsura being given to that form of marriage where a bride price was paid. The price paid by the party of the bridegroom was supposed to be a compensation to the bride's family for the loss of her services but a portion of it was soon returned to the bride as a marriage gift. References to the Āsura form of marriages seem to have been found in Vedic literature.[187] The Vasiṣṭha Dharmasūtra quotes two passages of the Maitrayāniya Saṃhitā[188] as follows : "She indeed commits falsehood who being purchased by her husband roams about with other males." Yāska's Nirukta[189] while explaining a passage of the ṚgVeda[190] states that the word Vijāmāta means among the southerners the household of a women who seems to have been purchased. Instances of the acceptance of the bride price by the guardians of the bride appear to have been recorded in the epics and the Buddhist literature.[191] The payment of heavy bride price made to the guardians of Kaikeyī, Mādrī and Gāndharī at the time of their marriage are known from the epics, while the father of Isidāsī, one of the nuns of Therīgāthā had received a bride price at the time of her marriage.[192] The Dhanmapada also mentions the custom.[193] It may, however, be pointed out that though the custom undoubtedly prevailed in some sections of the people, it was strongly condemned by the leaders of the society. Those who followed it knew what they were doing was not commendable. This would be clear from the great

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187 Kane, History of Dharmaśāstra, Vol.II, Part I, p. 503-4.

188 I. 10.11. 189 VI.2. 190 1.109.2.

191 Altekar, The Position of Women in Hindu Civilisation, p. 40.

192 Vv. 120 and 153. 193 V.213 and commentary.

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hesitation which Śalya felt in informing Bhīṣma[194] that if he wished to secure his sister Mādrī as a bride for Pāṇḍu, he would have to pay a substantial bride price. He opens the topic apologetically. "There is a family custom with us which whether good or bad, I have got to follow. You also know it. Why then do you want me to say in so many words that you should pay a bride price" ? It seems quite clear from the tone and contents of this speech that Śalya recognised the custom as undesirable, though he had not the moral courage to give it up in order to set a better example for his successors.

The writers of Dharmasūtra literature appear to have condemned the custom of bride price. Baudhāyana[195] warns the guardians that they would go to the most terrible hell if they sell daughters for marriage and points out to the intending husband that a purchased bride would not become a legal wife at all. She continues to remain in her father's gotra and sons born of her do not become entitled to offer oblations to her husband's ancestors.[196] The Brahmakāṇḍa of the Padmapurāṇa[197] holds that even the face of a person who has sold his daughter in marriage should not be seen. Baudhāyana[198] further states quoting two verses that 'woman who is purchased with is not declared to be a legally wedded wife (a patnī). She may not be allowed to be associated with the husband in rites for the Gods and Manes' and Kaśyapa declares that she may be treated as a dāsī (slave girl). Those blinded by greed, give their daughters in marriage for a fee (śulka) may be considered to have committed sins like sellers of their ownselves and perpetrators of great sin. They fall into hell.

194 1.1229 ff. 195 I.11, 20-21. 196 Atri, 384.
197 24, 26. 198 I, II, 20-21.

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In another place, Baudhāyana[199] says that he who gives his daughter in marriage by sale as a chatlel, sells his merit (puṇya). Manu[200] strikes a tender note and says 'a father should not take even the smallest gratuity for his daughters ; if he takes a gratuity through greed, he becomes the seller of his child'. Yājñvalkya[201] and Manu[202] include those who sell their children as Upapātakas. The Anuśāsana parva of the Mahābhārata[203] condemns taking of a gratuity for giving a girl and the same parva[204] speaks of tathas of yama contained in dharmaśāstras 'whoever sells his son for a price or gives a daughter for the sake of his own livelihood in return for a gratuity would fall into most terrible hell, called Kālasūtra. The same chapter[205] further says 'even stranger, cannot be sold what of one's children'. The themes of verse 20 and the suggestion given by Manu seem to be identical since both the texts have condemned even Ārṣa form of marriage because a pair of cattle would be required to be given to the daughter's father. But although the leaders of the society condemned it in very strong term and attempts were made to stop this social evil by proscribing fines, the custom prevailed in the society since Aristobulus gives verdict that poverty definitely played an important part behind this custom.

Strabo[206] further refers to a peculiar custom which existed amongst the inhabitants of Cancasus. They are said to have intercourse with the women in the open. It seems difficult to find out the truth

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199 Kane, History of Dharmaśāstra, Vol.II, Part I, p. 505.

200 III. 51, 54-55. 201 III.236. 202 XI.61.

203 93. 13½ and 94.2. 204 45.18-19. 205 Verse 23.

206 R.C. Majumdar, Classical Accounts of India, p. 271.

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behind this statement or the Greek writers' intention about what he had intended by making the statement since Strabo's observation does not show that this type of behaviour had any resemblance to any form of marriage prescribed in Indian literature.

MARRIAGE RITES :

No other foreign writer except the Chinese pilgrim Hieun Tsang has noticed the rites to be performed at the time of a marriage in any significance manner. Hieun Tsang,[207] while describing the origin of the city of Pāṭaliputra refers to a mock marriage in which he noticed two important rites of the Indian marriage system. The description of the Pseudo marriage which he has described runs thus 'once on a time a very learned Brāhmin had a large member of disciples. A party of these on a certain occasion wandered into the wood, and a young man of their number appeared unhappy and disconsolate. To cheer and amuse the gloomy youth his companions agree to get up a mock marriage for him. A man and a woman were chosen to stand as parents for the bridegroom and another couple represented the parents of the imaginary bride. They were all mear a Pāṭali tree at the time, and as the name of the tree had a feminine termination they decided to make it the bride. All the ceremonies of a marriage were gone through and the men acting as father of the bride broke off a branch of the Pāṭali

207 Watters On Yuan Chwang's Travels in India, Vol.II, Chapter XIV, p. 87.

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tree and gave it to the bridegroom to be his bride. When all was over and the other young men were going home, they wanted their companion the bridegroom, to go with them, but he insisted on remaining near the tree. Here at dusk an old man appeared with his wife and a young maiden and the old man gave the maiden to the young student to be his wife. This couple lived together for a year when a son was born to them. The student now tired of the lonely wild life of the woods, wanted to go back to his home but the old man his father-in-law induced him to remain by promise of a properly built establishment and the promise was carried our very promptly." Two important aspects of the marriage emerge out of the description which the Chinese pilgrim has recorded in his accounts.

The first aspect which emerges from the description happens to be the fact that the bride who was actually given away (dāna) by the father or her guardian in the family. The second aspect referred to the performance of certain rites which however varied with the people of different regions and villages. In the Saṁskāra of marriage there may be three parts consisting of preliminary, central or essential and ancilliary rites.

The essential rites constituted of Pāṇigrahaṇa, Vivāha-homa, agni parikramaṇa and saptapadī. These rites however have been mentioned by all sūtrakāras but there appear to exist a great deal of divergence in the details in respect of performances preceeding and subsequent to to the rites.

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The Āśvalāyana-gṛhya-sūtra[208] describes that one should go round the fire before Saptapadī while the Āpastamba gṛhya sūtra[209] prescribes that the Saptapadī should be performed before the act of going round the fire. The Gobhila[210] the Khādira[211] and Baudhāyana[212] gṛhya sūtras prescribe the performance of the rite of pāṇigrahaṇa after Saptapadī while according to many other sūtrakāras it was to be performed before Saptapadī.

Then again there is mention of many other acts reference to which appear to have been altogether omitted by some notable Sūtrakāras. The rites of madhuparka and Kanyādāna mentioned by Āpastamba,[213] Baudhāyana[214] and Mānava gṛhy sūtra[215] appear to have been omitted in the Āśvalāyana sūtra. The Kanyādāna ceremony however has been referred to in Pāraskara[216] and Mānavagṛhya sūtra[217] Āśvalāyana probably omitted express mention of Kanyādāna because after defining the first four forms he uses the word 'dadyāt' while in the last four there seems to have been no reference to Kanyādāna but Āśvalāyana appears to have described ceremonies pertaining to all the forms.

The vastness of Indian sub-continent and the great variety of its different social strate confronted the foreign travellers and scholars during the ancient days. In addition to this the customs and

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208 I.7.7. 209 IV.16. 210 II.2.16.
211 I. 3.31. 212 I.4.10. 213 III. 8.
214 1.2.1. 215 I.9. 216 I. 4.
217 I.8.6-9.

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rites of this vast country differed from region to regions. For this reason it was probably natural that the Indian customs and marriage rites were represented differently by different observers of the Indian scene.

The history of social evolution is never static and time bound. It changes due to many internal and external causes. Customs and rites of one age are not totally discarded after a lapse of time, on the contrary, it is quite natural that long standing customs and social practices tend to remain and persist throughout the ages. India was no exception to this fundamental rule of human society. Consequently textual references of an earlier date like those of the Vedas and Brāhmaṇas and the epics are quite relevant in understanding the socio-logical conditions during the period of the classical and the Chinese travellers. In a similar way the Smṛti texts and the information passed on to us by Purāṇas are quite relevant in understanding the social customs of the early historic periods. Keeping in mind both of these facts an attempt has been made here to evaluate the marriage rites and customs of India in the light of the directions found in the textual sources and those have been studied in the light of and compared to the compilation of foreign accounts.

Now, with the material studied above one may make an attempt to reconstruct the conditions under review in a short but clearly defined manner. The information left by the foreigners when shifted and analysed in the light of Indian writings help us to form a general idea about the nature of society. Here we come across a society in which a patriachal approach to marriage becomes more than clear.

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Prevailing marriage rites among the Indians does not reveal a state of domination of the society by the male sex. Rather it was a kind of benevolent and humanistic patriarchy organised in a highly developed state as would be apparent from the marriage codes and rites. Again we find here a kind of society in which intercaste mobility through marriage was also partially accepted. The picture as revealed from the writings of the foreign authorities which get amply supported from Indian writings contained in law books and literature appear to be a noble and humanistic one and the society appears to be imbued with warm and human sentiments.

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CHAPTER -IV

DRESS AND COSTUME

We do not get much light as regards the dress and costume used by the Indians as clothings in early days from the observations made by the classical and Chinese writers. Nevertheless it must be admitted that the observations of these writers, though scanty, were no doubt of considerable importance since their observations, as it were, enable us to form an idea about the dress and costume used by the people of ancient India. Just as marriage and caste system may be considered as important social characteristics of a people, so also the culture and civilisation of a people may be determined to a great extent from the dress which they are supposed to put on, inspite of the differences that might exist in the mode of dresses existent in different localities. When the social history of a people is written, dress and costume used by the people should be given due importance. Arrian quoting Nearchus describing the dress of the Indian people who lived in the region of Indus says that the dress worn by the people is made of cotton. He also says that the Indians 'wear an undergarment of cotton which reaches below the knee half way down to the ankles, and an upper garment which they throw partly over their shoulders and partly twist in folds round their head'.[1]

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1 R.C. Majumdar, Classical Accounts of India, p. 229-30.

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Hieun Tsang[2] while describing the dress of the Indians states like Nearchus that the Indians wear 'inner clothing and outward attire.' The Chinese traveller further throws an interesting light regarding the 'inner clothing and outward attire' which were not according to him, required to be tailored according to the size of the person who wore it.

From the observations of Nearchus and Hieun Tsang it seems evident that the Indians were required to wear two pieces of garment known as lower and upper garments.

Nearchus's observation as regards the material i.e. cotton from which dresses were prepared seems to be correct although no information appears to be available in the RgVeda[3] regarding the material of which the clothing, it so often alludes to, was made. Cotton does not appear to have been used. Rams and ewes have been described among domestic animals but they are not supposed to be the sources of cloth. It may be, nevertheless, probable that both cotton and wool were used in the manufacturer of dress for the term 'wearing' which seems to have been used occasionally could not have originated and got currency in the Vedic language without the existence of some material which could be adopted to weaving. It appears that in the Aṅguttara Nikaya too, there are instructions relating to the art of such work, to be given to the married daughters of Menduka Seṭṭhi. In the RgVeda and the Atharvaveda[4]

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2 Watters On Yuan Chwang's Travels in India, Vol.II, p. 148.

3 ii. 32.4.

4 xi. 10.3.

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a ceremony associated with dress making and also the word sūcī (needle) seems to have been referred to. The Śukranīti[5] speaks of preparation of threads and ropes and the weaving of fabrics[6] by various threads.[7] Kautilya in his Arthaśāstra* shows that there was a separate department of Government in charge of the superintendent of weaving whose duty it was to see the manufacture of Sūtra (threads), Varma (coats), Vastra (clothes) and Rajju (ropes). We are told further that in the department, widows, cripple women and girls were employed and they were rewarded for good work by presentations, of scents, garlands and some other material by way of encouragement.

The Gobhila grhysūtra[8] mentions four kinds of materials out of which cloths could be made i.e., Ksauma cloths were supposed to be made out of the fabrics of the bark of Ksumā (Atasīflax) ; the cloth called Śāṇa from the bark of Saṇa (hemp) which yields the best fibre, Kārpāsa cloth from cotton fibres and ourna cloths from the hairs of the lamb. In the Mahāvagga[9] six kinds of robes had been prescribed for the bhikkhus. These could be made of linen and of cotton silk, wool coarse cloth and hempen cloth.[10] It-sing[11] also mentions six kinds of dresses for the Bhikkhus. Hieun-Tsang also states that the garments of the Indians were made of Kiau-she-Ye i.e. Kauśeya, of cotton, of ts'o-mo (Kṣauma) which appears to be a sort of hemp, besides those made of Kambala and Karala (animal hair).[12] The Amarakoṣa[13] mentions

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5 iv. iii.174. 6 iv. iii.175. 7 S.B.E. Vol.XIII, p.159.
8 II. X.2.10 (S.B.E. Vol.29). 9 VIII.3.1.
10 S.B.E., Vol.17, p. 197.
11 N.K.Sastri, Foreign Notices of Southern India, p. 111.
12 Beal's Buddhist-Records of the Western World, Vol.II, p. 75-76.
13 Colebrooke edition (1807), p. 167.
* Chap. XXIII, pp.140-142.

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four sources of obtaining fibres out of which cloths were to be made namely, barks of plants, such as flax, hemp etc. fruits, such as cotton, etc. worms or insects - sources of silk, animal hair etc., wool. The Yājñvalkya Saṃhitā describes Kṣauma cloth as aṃsūpaṭṭa which may be made of fibres. It may be further explained quoting Mitākṣarā that aṃsū cloths happened to be made of bark fibres.[14] Besides linen and hemp, the Arthaśāstra[15] mentions of the fibres made from Nāgavṛkṣa, Likuca, Vakula and Vaṭa, out of which clothes were prepared. These materials were probably used respectively in the making of garments known from their respective places of manufacture namely, Maghadhika from Magadha, Pavṇdraka from Puṇdra and Suvarṇakudya from Suvarṇakudya.

Coming to Kṣaume, the Arthśāstra[16] notes that the cloth "which is manufactured in the country called Vaṅga is white and of soft fabric, that of Pāṇḍya manufacture is black and soft as the surface of the gem, and that which is the product of the country Suvarṇakudiya is as red as the sun, as soft as the surface of the gem, woven while the threads are very wet and of uniform or mixed texture."

As regards cotton cloths the Arthaśastra notes that 'the best cotton cloths are from Madhurā (Mādurā) Aparāntaka (Konkan), Kaliṅga, Kāśī, Vaṅga, Vatsa, Kauśāmbi and Māhiśaka (Māhiṣmatī). The art of making cotton cloths reached high perfection in India and it formed a principal item for export. It attracted the attention and elicited the admiration of the Greeks so much so that they used to compare it with 'sloughs of serpents or vapour from milk and used to describe it as fine textures the thread.[17]

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14 Quoted in Girija Prasanna Majumdar, Some Aspects of Indian Civilisation, p. 67 (1938).
15 Kautilya's Arthaśastra, R.Sharmasastry, p.84(1915).
16 Book II, Ch.XI.80, p.93.
17 Aiyangar, Ancient India, p.65.

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Let us here examine some foreign sources pointing to India as the original home of cotton cloth. The Old testament says that it comes from India,[18] as also the Greek writers namely Herodotus,[19] Arrian,[20] Nearchus,[21] Theophrastua,[22] and Strabo.[23] Curtins Rufus[24] however says that "the soil produces flax from which the dress ordinarily worn by the natives is made".

Mrs. Mannings commenting on this topic observes : "Cotton in its manufactured state was new to the Greeks who accompanied Alexander the Great to India".[25] It is difficult to conceive, says Dr. Muir that cotton though not mentioned in the hymns of the Vedas should be unknown when they are composed, not employed for wearing the light cloth which is necessary in so warm a climate.[26]

Dr. Heeren[27] says that "the coloured cloth and rich apparel brought to Tyre and Babylon from distant-countries" were probably made by Indian manufacturers. Finally, Dr. Watt writes 'Ancient scriptures, sculptures, painting, literature all point to the conclusion that Indo Aryans used cloth made of cotton and that weaving and spining were not only known but the art of stitching and weighing a textile was also practised and

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18 Ezekiel, XXVII. 24.
19 iii.106.
20 Chap. XVI.
21 II, XV.20.
22 179 Quoted by Pliny, XII. 24.
23 XV.20.71.
24 R.C. Majumdar, Classical Accounts of India, p. 104.
25 Mrs. Mannings, Ancient and Mediaeval India, Vol.II, pp. 356-358.
26 Muir, Sanskriti texts, Vol. V, p. 462.
27 Historical Researches, Vol.III, p. 363. Quoted in Indo-Aryan Vol.I,p.169.

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that even dying was known. And that this art attained a perfection which appeared to have been praised by the foreigners.[28] But all these doubts have now been set at rest by the discovery of 'scraps of a fine woven cotton material' in the debris of a house unearthed at Mohenjo-daro. Thus it is apparent that this indigenous Indian cotton was known to the Babylonians as 'Sindhu' and to the Greeks as 'Sindon', and was true cotton and not a product of the cotton-tree as hitherto believed.[29]

Before cotton came in vogue as a substance for making dresses for the Indians it seems that the dresses of the Indians went through certain stages of evolution before it reached a final stage. The earliest wearing material seems to have consisted of leaves and grasses tied together and hung round the waist. In the Śatapatha[30] and Taittirīya Brāhmaṇa[31] it has been stated that when the Nestr priest was to lead the sacrificer's wife, he makes her put on an upper garment of Kuśa grass and vāśas or kuśa skirt next to the cloth. This may have been a relic of the bygone ages when probably dress made of kuśa was used.[32] A garment made of grass or bark and of leaves (phalaka) seems to have been referred to by Mahāvagga of the Vinaya texts.[33]

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28 Commercial Products, Vol. IV. pp. 43-44.

29 R.K.Mookerji, Hindu Civilisation, p. 17 (1936) and Marshall, Mohenjo-Daro and the Indus Civilisation, Vol.I, p.33.

30 V. 2.1.8.

31 VI. 1.9.7.

32 A.C.Das, RgVedic Culture, p. 211 and Sirkar, Some Aspects of the Earliest Social History of India, p. 58.

33 VIII. 28.2 ; S.B.E., Vol.17.

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Hieun Tsang notes that some of the non-believers wore leaf and bark garment. This tradition may not be treated as altogether lost. There are still people living in the jungles of various parts of India who use these materials for dress.[34]

In the next stage the valkala or bark was used for the purpose of clothing. In the Taittirīya Saṃhitā[35], the Taittirīya Brāhmaṇa,[36] Valkala in the sense of a bark cloth is found. Valkala was used also as a material for clothing because it appears to be cheaper than wool and easily available. The most interesting fact in this respect seems to be tnat which occur in the Rāmāyaṇa where the Epic hero Rāma, his consort Sītā and his brother Lakṣmana had put on bark as cloth during their long exile of fourteen years in the forest. In the drama entitled Pratimā[37] of Bhāsa Rāma, Lakṣmana and Sītā are mentioned as having worn the bark robes before setting out for the forest led by Lakṣmana. Gaurī in the Kumāra Sambhava and Śākuntala in the Śākuntala of Kālidāsa appeared to have put on bark cloths which were supposed to be used by ascetics and were invariably mentioned as valkala. Dresses were also made of skins of tiger, deer and the like. According to Herodotus[38], "these Indians were (also) a garment made of rushes, which when they have cut the reed from the river and beaten it they afterwards plait it mat and wear it corselet."

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34 Mrs. Spaier, Life in Ancient India, Intro., p. 22 and Dalton, Descriptive Ethnology of Bengal, p. 155 and R.L.Mitra, Indo-Aryans, Vol.I, p. 195-196.

35 ii. 5.3.2.

36 i. 4.7.6.

37 Act. I.

38 Mc.Crindle, I. iii. 98.

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In the third stage of development we meet with fully developed garments as it may be inferred from the use of the terms like Suvasana in the RgVeda[39] which means 'splendid garment' and appears to have been used in the sense of 'clothing well' in the same text.[40] The expression Pesás also indicated in the RgVeda[41] and Vājasaneyi Samhitā[42] an embroidered garment which was meant to be worn by a female dancer. The nearest approximation of the observation of the Nearchus regarding the dress of the Indians would probably be the dhoti or (Sāri) and chadar used by the people of Bengal, Orissa, Madras and other parts of India. The upper garment does not seem to be very regularly used when a person stays inside the house, a part of the lower one being wrapped round the upper part or thrown over the shoulders. When Draupadi was surprised in her private apartment and dragged rudely to the assembly hall by the Kauravas, she has been described as ekavastrā (wearing only one piece of cloth). Similarly, the servant class probably made shieft with a single lower garment. Draupadī disguised as a servant in the palace of King Virāta appears to have worn only one piece of garment.

That the upper garment was not much in use seems to be quite evident from the observation of the Chinese traveller Hieun Tsang who while describing the style of wearing garment states 'the men wind up a strip of cloth round the waist and upto the armpits and leave the right shoulder bare'.[43]

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39 VI.51.4.

40 IX.97.50.

41 ii.3,6 ; iv. 36.7.

42 XIX. 82.89 ; XX.40.

43 Watters on Yuan Chwang's Travels in India, Vol.I, p. 148.

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In the Vedic age, the dress of the people appears to have consisted of two pieces of garments about which both the Greek and the Chinese writers have referred to. However, when they describe us about the style of wearing garment they seem to have referred to the fashion of wearing one piece of garment only which however does not appear be very clear. The upper garment i.e., the Vāsas which also meant the garment in a narrower sense and the adhivāsa i.e., that is an upper garment appear to have been in use during the days of later saṃhitās. A Nīvi or an undergarment also came to be used in addtion. A Nīvi seems to be the name of an undergarment which was probably a simple apron of cloth[44] worn by both men and women but specially by the latter. It appears to have been mentioned in the Atharvaveda[45] and the Taittirīya Saṃhitā.[46] In the RgVeda[47] the Maruts were seen to have worn deer skin and a muni appeared in the dress made of skins or soiled garments. Even in the days of the sutra we find a corroborative evidence of Nearchus's observation that the dress was primarily composed of only two pieces of suits. In addition to the two pieces, a longish piece of cloth usually wrapped the head in the fashion prescribed by local custom and this constituted a ceremonial head wear or turban. The same piece could be used informally to veil the head. In fact no change had taken place in the usual practice of wearing two pieces of cloths for long. Of these two garments, probably changed and one came to be known as uttarīya or upper garment and the other Antarīya or lower garment. Thfse two garments constituted the dress proper for the males and females of the country. The difference in the dresses worn by men and women appeared

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44 Macdonell & Keith, Vedic Index, Vol.I, p. 457.

45 VIII.2.16 ; XIV. 2.50.

46 VI.1,1,3.

47 X.136.2.

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to be very little. The lower garment was put on first and then the upper one. If one could afford only one garment, then a part of the lower garment could be turned into and worn as an upper garment as well. This style probably has been referred to by Hieun Tsang.[48] It appears that wearing of an upper garment had been optional but from the time when the Dharmaśāstra became operative, the wearing of an upper garment became compulsory for the householder and this we learn from Āpastamba[49] which prescribes that a householder should always wear an upper garment - besides the lower one but allows him to wear only the sacred thread in case he fails to procure an upper garment. Vasiṣṭha says that a snataka i.e., who have returned from the stage of studenthood should always wear a lower garment and an upper one and two yajñopavitas. Baudhāyana[51] however endorses the view and adds that a snātaka should wear a turban, a deer skin as upper garment along with shoes and an umbrella. Aparārka[52] quotes verses from Vyāghra and Yogayājñvalkya to the same effect, the latter remarking that if one cannot procure a second washed garment one may wear a blanket of wool, or hempen or linen cloth. Baudhāyana[53] says that a garment that has not been used by anybody may be treated as pure and therefore everything connected with sacrifice and worship should be done with fresh or unblemished clothes. The sacrificer, his wife and the priests should wear garments that have been washed, dried in the wind and may not have been worn out by use. But in case of sacrifices performed for abhicāra i.e., harm to one's enemies, the priests should wear clothes and turbans dyed in red. In consecrating the Vedic fires one

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48 Watters, On Yuan Chawang's Travels in India, Vol.II, p. 148.
49 II. 2.4.22-23.
50 XII.14.
51 I.3.2.
52 p.133-134.
53 I. 6. 5-6, 10-11.

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should wear clothes made of flax or if such cloth may not be found available, the clothes made of either cotton or wool may be used. Śabara on Jaimini[54] notes a śruti passage to the effect that the sacrificier and his wife were required to wear fresh unused cloths in the model sacrifice. In the Mahāvrata the sacrificer wears in addition a tarpya (silk garment) and his wife wears one made of kuśa grass. Baudhāyana[55] requires that one may wear an upper garment in five acts viz., study of the Veda, dedication of a well or a tank to the public, making gifts, taking one's meal or ācamana. Similarly the Viṣṇupurāṇa[56] requires that a man should not, with only one garment on, begin the worship of gods and similar rites, study of the Vedas, ācamana and japa. Gautama,[57] Āpastamba,[58] Manu[59] and Yājñvalkya[60] and others appear to have enjoined that a snātaka and a householder should wear white garments which should not be worn out or dirty if he has enough means and further says that he should not wear(wear) dyed garments of high price of those worn out by another. Baudhāyana[61] remarks 'that a man, while wearing reddish garments does such as japa, homa, receiving gifts offerings made to gods and Manes, does not reach the gods. Cloth dyed in indigo appears to have been forbidden and a person has to undergo a fast and take pañcagavya for wearing such cloth. The Āpastamba Smṛti[62] seems to have several verses on cloth dyed in indigo. The Mitākṣarā on Yājñvalkya[63] quotes verses 1-5 of Āpastamba and verses 32-39 of Aṅgiras seems to have dealt on cloth dyed in indogo like that

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54 X.4.13.
55 II.3.66.
56 III.12.20.
57 9.4-5.
58 I.11.30. 10-13.
59 IV. 34-35.
60 I. 151.
61 II.8.24.
62 Chap. VI.
63 III. 292.

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of Apastamba.[64] Gautama,[65] Manu,[66] Visnu[67] and Markandeya Purana[68] prescribe that one should not wear the shoes, garments, Yajnopavita, ornament, garland or water-jar used by another but if a man fails to secure one for himself, he may weak another's garments or shoes or garland after cleansing it. According to Garga quoted in Smrti Candrika[69] a Brāhmaṇa should wear white garments, a Kṣatriya red and brilliant ones, a Vaiśya yellow one, a Śūdra should wear a dark one i.e., a dirty garment. The Mahābhārata appears to have differentiated between the dresses by wearing of which one might walk or lie in bed and the garments which were to be worn at the time of religious functions. Prajāpati quoted by Parāśara Mādhava states that at the time of tarpana one should wear silk cloth having a hem or one that may be of orange colour but disallowed such cloth if it was be gaudy. It seems that the practice of wearing silken garments at the time of meals and worship has continued to be observed even now in many parts of India. Manu[70] and Visnu[71] prescribe that one may dress, speak and entertain thoughts that would be in keepings with one's age, occupation, monetary affairs, learnings family and country. The Smrtis have contained rules about tucking up the lower garment. A garment should be tucked in three places i.e., when it has been tucked near the navel, on the left-side and behind on the back. A Brāhmaṇa may be deemed as a Śūdra as long as he has not tucked his garment behind or allows one corner of it to hang down from behind like a tail or has tucked it in the wrong way or has wound part of it round his waist or has covered the upper part of the body with a

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64 Kane, History of Dharmaśāstra, Vol.II, Part I, p. 671.
65 8. 5-7.
66 IV. 66.
67 71-47.
68 34. 42-43.
69 I. p. 113.
70 IV.18.
71 71. 5-6.

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portion of the lower. Even in the case of a Brahmacārī we find that the Brahmacārī had to wear two garments, one for the lower part of the body (vāsas) and another for covering the upper part of the body (uttarīya). The Āpastamba[72] says that 'the garment (Vāsas) for a Brāhmaṇa, Kṣatriya or Vaiśya to be made of hemp, flax, ajina (deerskin). Some teachers prescribe that the lower garment should be cotton but coloured reddish, yellow for Brāhmaṇas ; dyed with madder for Kṣatriyas, dyed with turmeric for Vaiśyas. The Pāraskara-gṛhya-sūtra[73] and Manu[74] speak of 'avika' (made of wool) for Vaiśya instead of 'ajina', Vasiṣṭha[75] says that a Brāhmaṇa (Brahmacārī) should wear a lower garment which may be of white colour and unblemished or new and for a Kṣatriya or Vaiśya it should be made of flax and ajina (deerskin) but for the Vaiśya. Vasiṣṭha prescribes garment made of Kuśa grass or he says that all should wear cotton cloth and that may be undyed. Gautama[76] on the other hand says that 'for all the lower garment may be made of hemp, flax or kuśa grass (Cīra) or of the hair of the mountaneous goat (kutapa) ; other teachers prescribe coloured garments, one coloured with the juice of trees for Brāhmaṇas and madder-red and yellow for Kṣatriya and Vaiśya. Āśvalāyana[77] and Pāraskara,[78] Vasiṣṭha[79] and Baudhyāna[80] grhya sutras say that an upper garment for a Brāhmaṇa should be the skin of a black deer, for Kṣatriya the skin or ruru deer and for a Vaiśya of cow-skin or of goat skin. Baudhāyana and Āśvalāyana seem to have prescribed garments made of goat skin. Pāraskara[81] adds

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72 I. I.2. 39-1. I.3-1-2.
73 II.5.
74 II.41.
75 XI.64-67.
76 I.17-20.
77 I. 19.8.
78 II. 5.
79 XI. 61-63.
80 II. 5.16.
81 II.5.

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that if any one cannot secure a skin suited to one's varṇa, he may wear an upper garment of cow-hide as the cow may be considered to be the chief among animals. Baudhāyana gṛhya-sūtra* prescribes further the skin of a black deer for all in the same circumstances where goat skin may not be available. Āpastamba[82] however suggests an option to all varnas to use a sheep skin (as an upper garment) or a woolen plaid (Kambala). Āśvalāyana[83] appears to suggest that the lower and upper garments may be of the same skin or that the lower garment may be white or coloured. The Kāṭhaka-gṛhya-sūtra[84] says that the upper garment for the three varṇas should be respectively of the skins of black deer, tiger and ruru deer. A vestige of these rules survives in the modern practice of tying a small piece of deer skin to the yajñopavita of the boy when one upanayana ceremony is held.

That the rules pertaining to the use of lower and upper garments may be traced back to great antiquity as it seems evident from a reference to a Brāhmaṇa passage in the Āpastamba Dharmasūtra.[85] According to this authority one should wear only deer skin (as lower and upper garments) if one desires the increase of Vedic lore, only cotton garments if one desires the increase of martial valour and both if one desires both.

One piece of additional garment seems to have been added to the costume in the period of the Brāhmaṇas. According to these sources the complete set of dress would consist in three garments -

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82 I. I. 3. 3.7-8.
83 I. 19.8-9.
84 41.13.
85 I. I.3.9.
* 11.5.16.

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an under garment nīvi, a garment proper vāsas and an over garment adhivāsas like a mantle or cloak. The āprapadinapati mentioned by Pāṇini appears to be the garment that reached down to the ankles the identical description may be found when Curtius Rufus[86] refers to the dress and says that "they cover their persons down to the feet with fine muslin". The Śatapatha Brāhmaṇa describes a set of sacrificial garments as consisting of a silk garment (tarpya), a garment of undyed wool, an overgarment and a turban (uṣṇisa). The turban appeared to have worn by men as well as women. A royal head-gear or turban seems to have been worn at the Rājasūya and Vājapeya ceremonies by the king.

We are further told by the Chinese writer Hieun Tsang that 'the inner clothing and outward attire of the people have no tailoring.[87] That the garments worn by the Indians had no tailoring do not seem to have been referred to by any of the classical writers. The observation of Hieun Tsang as to the use of stitching garment involves us in a controversial question since the RgVeda[88] clearly testifies to the existence of needle and the process of sewing. The Aitareya Brāhmaṇa[89] clearly refers to two pieces of cloths being joined together by the needle, The Buddha had forbidden monks to do sewing for nuns.[90] The Amarkoṣa[91] expressly mentions the tailor and the Chinese traveller I-tsing informs us that shirts and trousers were quite common in Kashmir and the Panjab during the seventh century A.D., though they were not in vogue in the plains. The fact that in the

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86 R.C. Majumdar, Classical Accounts of India, p. 104.

87 Watters On Yuan Chwang's Travels in India, Vol.I, p. 148.

88 II.32.4. 89 III.18.

90 Altekar, The Position of Women in Hindu Civilisation, p. 292.

91 11.10.6.

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hot plains of northern India stitched cloths do not appear to be very convenient and so far the greater part of the year both men and women could go on without them. This seems to be the reason whey they do not appear frequently in the literature.

We may discuss here the controversial question whether a stitched cloths were in vogue in India during the Vedic age. In the Indo-Iranian times the Āryans were undoubtedly living in a cold climate where stitched cloths would have been welcome, but then they had not probably sufficiently advanced in civilisation to begin the use of stitches cloth. The ṚgVeda[92] refers to varuṇa as wearing a drāpi while sitting in his heavenly court. But whether this appeared to be a mantle or overcoat seems to be a question yet to be decided. In the marriage hymn the, bride has been described as wearing Sāmulyan on her wedding night and this dress was discarded in the next morning. This may have been the Sari, rather than a short. According to the Kātyāyana Śrauta Sūtra[93] the wife of the sacrificer was given a Caṇḍātaka or dahara to wear, when she had to ascend by a very high step to the top of the sacrificial pillar. While doing so, the thighs were likely to be exposed if there was no under wear, as the Śāri was probably used in the vikachchha fashion. So a Caṇḍātaka, which has been expressly described as a short by the commentator would have been a desirable accessory of the dress of the bride. The original Vedic passages, describing this ceremony do not however refer to any Caṇḍātaka being

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92 1.26.13.

93 p. 866, Webster's edition.

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worn by the wife on the occasion. In the Vedic age very probably only a dahara or kaupina i.e. a strip of cloth to be worn on a girdly in between the legs was used on the occasion. Though, sewing was known in the Vedic age, as it seems evident from the reference quoted above, there seems to exist however no evidence of stitched cloths having come into general vogue at the time. The complete outfit for sewing described in the Cullavagga[94] indicates that stitched clothes were coming into fashion by this time although there appears no explicit reference to it either in the sūtras or in the epics. Hieun Tsang's observation does not seem to be substantially baseless since the dress of the Indians consisted of two pieces of clothes and those clothes did not require much tailoring although the art of sewing garments probably already introduced for preparing bodice of the women the traces of which may be seen from the statute of chanda yakshini represented in the stuparailing at Bhārut.[95]

We do not collect much informations from the writings of the Greeks and the Chinese as to the dresses worn particularly by the women in contemporary India save and except a reference to the word Sāri which were normally used as a garment by the Indian women. The reason of their silence may probably be assigned to the fact that the difference of dress between the garments worn by members of either sex appeared very little to them. Not only the writings of the foreigners but by the indigenous literature also supplies us with very little information about the dress of the women of the age. The sources belonging to this

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94 V. 11.2.

95 Cunningham, Plate, XXII, fig. 3.

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period does not help us to pre-suppose the existence of any dress particularly meant as women's clothes. The same words appear to have been used to denote the clothes worn by both by men and women. An undergarment (Vasas antaram) and an upper garment (paridhānam) were in general use amongst the members of both the sexes. The Śatapatha Brāhmaṇa[96] furnishes us with the knowledge of a waist band which was used round the lower garment. Probably both the garments were usually coloured in the case of women because the Vājasaneya Saṃhitā[97] refers to the dyer. In addition to the two garments mentioned above, kings used to wear gorgeous mantle (drāpi) on ceremonious occasions. Queens also probably had the counterpart of this mantle in the form of an embriodered shawl, though there seems no confirmation regarding this point. In one place of the Śatapatha Brāhmaṇa[98] Goddess Indrānī has been described as wearing a head dress called uṣnīṣa. It may be probable that well-to-do ladies of this age were also doing the same.

Probably this head dress was something like a pagree and not merely a piece of cloth for covering the head like the modern odhnī. It was not very common, for the usual custom for the ladies was to arrange the hair in different artistic plaits as is revealed from the Atharva-veda[99] and the Vājasaneya Saṃhitā.[100] The grace of the face could not be properly revealed, if the head was covered by a head dress or odhnī. We get no information as to how the lower garment was worn in these days. A portion of it was therefore very probably used to cover the upper part of the body. The additional upper garment (Paridhānam) was probably used only on ceremonious occasions. The same was probably, the case with the head dress.

96 1.3.3,6. 97 30.12. 98 XIV.2,1,8.
99 I.114.3. 100 XI. 56.

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The classical literature supplies us with meagre and disappointing data about the dress of women during several centuries preceding and following the Christian era. The scantily available evidence shows that women normally wore two garments during this period also. The upper garment or shawl was used only on ceremonial occasions. The shawl might generally cover the bosom, bust and arms down to the wrist,[101] when in standing posture, ladies used to wear shawl in different ways. Sometimes it used to cover their entire person down to the ankles[102] but when they were standing akimbo, they often used to fold the garment and pass it over the arm cavities,[103] of the arms. At home śāri alone was sufficient as a garment for part of it could decently cover the upper part of the body as well. Women used to wrap a part of the Śāri over their shoulders so as to completely cover the navel and the brests. Their waist band for instance could become, visible only if the upper part of the śāri happened to slip down.

The scuptural evidence that we get from the sculptures of the Panjab and Northwestern Frontier provinces partly tally with the dresses described by the classical authors but in the sculptures revealed in central and southern India and the paintings at Ajanta and Bagh caves leave quite a different tale to tell. In sculptures of Bhārut the upper garment is shown as covering the body below navel, no part of it may be seen to have been used as a coverings of the breasts and shoulders.[104] A separate upper garment may often be worn by the ladies but it does not at all cover their bosom.[105] The same may be the case with the sculptures at Sāñchi and Amrāvatī.

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101 Allan, Catalogue of Gupta Coins, Pl.I, Nos. 6,10.

102 Ibid., Pl.III, no.6. 103 Ibid., Pl.no.5.

104 Plate III. B. 105 Plate III. A.

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Scholars thought that nudity conveyed no sense of indency in India prior to the advent of the Muslims, so women in sculptures and paintings seem to have appeared in a nude or semi-nude condition.[106] Cunningham's theory however ignores the data of the Gāndhāra sculptures where women appears fully dressed and this fact seems to be in conflict with the evidence of contemporary literature which makes it quite clear that it was regarded as highly indecorous for woman to move out without completely covering her upper portion of the body.

Some scholars think that the figures of women shown without their busts properly covered in the sculptures and paintings of southern and central India may have been caused due to the artistic convention of the age. Breasts may be regarded as the most significant symbol of motherhood and as such might be shown uncovered in works of Art though in actual life those had to be covered under a bodice or part of the sāri.

Nearchus[107] further tells us that "the Indians wear also earings of Ivory, but only such of them do this as are very wealthy, for all Indians do not wear them". Megasthenes[108] also observes that 'inspite of the general simplicity of style the Indians love finery and ornaments. Their robes are worked in gold and ornamented with precious stones, and they wear also flowered garments made of finest muslin.' Strabo[109] like Megasthenes states that the 'Indians wear apparel embroidered with gold and use ornaments set with precious stones and wear

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106 Cunningham, Tree and Serpent Worship, pp. 102-3.

107 Nearchus, Fragm. 9 and 10 = Arr. Ind. 16. Cf. R.C.Majumdar, Classical Accounts of India, p. 230.

108 Megasth. Fragm. 27 = Strabo XV, C.709.

109 Strabo, Fragm. 54, R.C. Majumdar, Classical Accounts of India, p.270.

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gay coloured linen garments and are accompanied with sun shades'. He, while referring to the dress worn by the Indians in general, he appears to have contradicted his own statement quoted in the above passage when he says that 'Indians wear white clothing either made of white linen or cotton.[110] He probably had referred to the Svetambaras members of a Jain sect who usually wear white garments. The former class whom he has described to have worn embroidered garment with gold probably belonged to an affluent class while the latter were ascetics. Hieun Tsang[111] also appears to have remarked about the types of ornaments which the Indian kings and grandees used to adorn themselves with and states that 'Garlands and tiaras with precious stones are their head adornment and their bodies are adorned with rings, bracelets and necklaces. Wealthy mercantile people have only bracelets'. Curtius Rufus[112] held a similar view like the Chinese pilgrim of a later date and says "they hang previous stones as pendants from their ears and persons of high social rank, or of great wealth deck their wrist and upper arm with bracelets of gold". Every part of the body from head to foot had its appropriate ornaments made of gold, silver, pearls, gems and precious stones. In the RgVeda[113] we have such terms as Karna Sobhana indicating the use of ear ornaments and niṣka-grīva[114] mani-grva indicating neck ornaments, bracelets and anklets[115] and ornaments called Khadi[116] were also worn with bejewelled neck.[117] We may get an idea of ornaments in common use from the Cullavagga of the Vinaya text.[118] At first even the monks "used to wear ear rings,

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110 Strabo. Fragm. 71 Cf. R.C.Majumdar, Classical Accounts of India, p.281

111 Watters On Yuan Chwang's Travel in India, Vol.I, p. 152.

112 R.C. Majumdar, Classical Accounts of India, p. 104.

113 VIII, 78.3. 114 ii.33,10 ; V.19.3. 115 1, 66,9.

116 V,154,11. 117 i.122.14. 118 V.2.1.

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ear-drops string of beads for the throat, girdles of beads, bangles, necklaces, bracelets and rings". Nearchus's observation that 'the Indians wear also earrings of ivory, but only such of them do this as are very wealthy, for all Indians do not wear them'. Hieun Tsang' also has observed that 'wealthy mercantile people have only bracelets'. For the rich, the ornaments were made of gold, silver, faience, ivory or semi-precious stones and for the poor, these were made of shell, bone, copper and terra-cotta[119] for gold for all the time was looked upon as a precious metal and those who were kings and grandees used to use ornaments made of gold and precious stones. The Chinese travellor further informs us that the garlands and tiaras fitted with precious stones were used by the Indians as their head adornment.[120] In the RgVeda[121] and in the Atharva-veda[122] the expression Sraj appears to have been used to indicate garland. Garlands were used by men and women for heightening their beauty. We learn further from Nātyaśāstra of Bharata* about the classification of Aṅga-Bhuṣaṇa (ornament). He writes that according to the sages the ornaments of the human body may be of four kinds, these are known as āvedhya, bandhanīya, kṣepya and āropya. Such ornaments as earrings i.e. ornaments for the ear may be held as examples of āvedhya type, belts, bangles etc., may be classified under bandhanīya type, anklets and other ornaments of the feet may be called kṣepya and golden threads and various kinds of necklaces may be identified as belonging to the āropya variety. Ornaments of the head may be the crown and tiaras to which Hieun Tsang[123] refers. The ear-rings may be meant for the ears and the like. The fingers were adorned

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119 R.K.Mookerji, Hindu Civilisation, p. 17 (1936).
120 Watters on Yuan Chwang's Travels to India, Vol.II, p. 151.
121 iv. 58,6 ; v. 55, 4. 122 i.14.1. *Ch. 21, 11-18.
123 Watters on Yuan Chwang's Travels to India, Vol.I, p. 151.

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with vatikā and rings and the throat (kaṇṭha) was probably beautified with necklaces fitted with pearls, threads, etc. Keyūra and aṅgada were meant to adorn the upper arms and the trisara and neck chains for the neck and breast. The ornaments for the body were probably made of pearl beads. The ornaments appear to have constituted an important part of toilet in India since we have noticed that in the Vinaya texts referred to above ornaments and jewelley also have been mentioned as constituting an important items of toilet for both men and women. The Śukranitī[124], however, definitely states as follows 'ornaments constitute some of the important valuables of the state and the rulers should appoint females to look after them. Ornaments as marks of honour used to be conferred on office bearers : (The king should gratify) somebody by the grant of privileges, ornaments and uniforms, umbrellas, etc.[125] The making of ornaments with gold and other materials may be considered as an art.[126] A wife should put on clothes, ornaments and jewels given by the father-in-law, husband, parents and brothers, uncles and other relations.[127] The images of Rājasika type had been adorned with numerous ornaments.[128]

The Kośa text of Amarsiṃha gives a list of ornaments of various parts of the body namely, crowns, crests, tiaras for the head, rings, flowers and bosses for the ears ; of necklaces of one to a hundred strands and of various shapes and patterns ; of armlets and bracelets, of signet and other rings for the fingers of zones and girdles for the waist of both men and women, as also of ornaments consisting of bells and bands and chains for the leg and ankle.[129]

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124 I, 703-704. 125 II,846-848. 126 IV.iii.179.

127 IV. iv.21-22.

128 IV. iv.163-164. Cf. Sacred Books of the Hindus, Vol.XIII, p.159.

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In the Ayodhyā Kāṇḍa of the Rāmāyaṇa[130] numerous varieties of ornaments were referred to. Variety of garlands appears to have been used as ornaments. Materials out of which such garlands were made were wood, flowers, gold and silver. Garlands of silver and gold and of richer metals used to be put on by kings and queens and nobles and those who could afford to wear such costly ornaments.[131]

Nearchus[132] further tells us that the 'Indians dye beards to make them as white as possible, but others dye them blue, while some again prefer red tint, some purple and others a rank green'. Strabo[133] holds an identical view like that of Nearchus. Hieun Tsang, though he does not specifically refer to the fashion of keeping beards as mentioned by Nearchus yet he informs us about one very relevant point in this respect. He states that some male persons clip their moustaches or have their hair done in a fantastic fashion. The Chinese traveller probably echoes the same opinion held by Nearchus about the dying of beards according to individual taste. Hieun Tsang also throws light on the fashion of treating of moustaches according to tastes of the individuals. Such tasted varied the colour with which men normally were seen to have dyed their moustaches.

It may be stated that moustache was a symbol standing for harshness and fear. Hence Raudra form of Śiva has been endowed with it. From a passage of the Matsyapurāṇa[134] it appears that Sūrya should have

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130 8,52 ; 37,7.

131 Girija Prasanna Majumdar, Some Aspects of Indian Civilisation, p.104.

132 R.C.Majumdar, Classical Accounts of India, p. 230.

133 Ibid., p. 259.

134 Chapter 251.

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a fine moustache but no sun image of northern India has any vestige of moustache, except a bearded figure of Piṅgala to his right.[135] The same may be the case with Dvārapāla. This may be compared with Maheśa-murti of Elephants where the face of Śiva showing the Rudra aspect has a moustache[136] while no other form of Śiva has it.

Though it was not a common feature with the male persons in northern India to grow moustache yet in North-western part of India i.e., in the region around Taxila keeping of moustache appears to be a popular fashion. It had been a common feature in Gāndhāra where in the Kuṣāna school of Indian sculpture[137] of Gāndhāra shows a large number of figures showing moustaches. The feature also appears as common feature of Indo-Greek,[138] Indo-Parthian,[139] and Kuṣān kings[140] as found from their coins. The existence of indication of moustache appears to be very clear on the coins of Western Kshatrapa rulers who were of western origin and started their rule as governors of the Kuṣāna emperors of North Western India. In the Mathurā school Rudra icons of post-gupta period had moustache.[141] It may therefore be considered that it was a fashion introduced near about Taxila by foreigners but the people of other parts of India did not follow this during the early medieval period.[142]

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135 Rao Hindu Iconography, Vol.I, Pl. II, Plate XC.

136 Dr. Coomarswamy, History of Indian and Indonesian Art, Plat LV.no.194.

137 Ibid., pl. XXVII. no. 95.

138 P.M.C. pl. III. no. 133.

139 Ibid., pl. XVI. no. 76. 140 Ibid., pl.XVII no.31 and 63; Pl.XX.no.11

141 Catalogue of Brāhmanical Images of Mathurā Museum, p.28, no. 462. The Classical Age, Pl. XIX. no. 38.

142 Vasudeva Upadhyay, The Socio-Religious condition of North India, pp. 164-65.

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We do not find any corroborative evidence of Nearchus's statement as to the fashion regarding Indians colouring their beards. The expression Śmaśru in the RgVeda[143] and in the Atharva-veda[144] clearly mean 'beard' and 'moustache', the practice of shaving[145] was known since the expression Vaptṛ in the RgVeda[146] and the Atharva-veda[147] appears to have been used in the sense of a 'shaver' or a 'barber'. Another term Kṣura occurs three times in the RgVeda.[148] The word appears to have been used in a sense of a razor.[149] In the Epic the expression Kṣura has been used as a knife.

In fact the practice of cultivating the beard was not universal amongst the ancient Hindus and even amongst the earliest Āryans of the Vedic times, the razor[150] and the barber were requisitioned everyday. It may be true that certain days of the work, particularly Saturdays and certain constellations were reckoned inauspicious for shaving but this may be overridden by the ordinance which requires that all vows, fasts and śrāddhas should be preceeded by saving and paring of the nails. The penalty for the wretch, who neglects it, "being a sojourn in the next life for twenty days or twenty years in a vat full of hair and nails, during which he has to eat nails and hairs, and be constantly beaten with a stick".[151] The ordinary practice required a householder to shave frequently. In this practice, the Hindus closely resemble ancient Egyptians, says Herodotus, "only let their head and beard grow in mourning, being at all other times shaved". The ancient Indians appear to have been very particular in this respect and to have it neglected was a matter of reproach and redicule.

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143 ii.11.17 ; viii 33.6. 144 V.19, 14 ; VI. 68.2.
145 Macdonell and Keith, Vedic Index, Vol.II, p.397. 146. X.142.4.
147 VIII.2.17. 148 i.166.10. 149 Hopkins, J.A.O.S. Vol.13, p.292
150 Wilson's RgVeda, Vol.IV, p.255. 151 R.L.Mitra, Indo-Aryans, Vol.I, p.220

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The ancient Greeks and the Romans entirely differed from the Hindus and the Egyptians in particular. The Romans probably cultivated the beard until the year 299 B.C. when P. Ticinus Mena, having brought barbers from Sicily, introduced the custom of shaving in Rome. Pliny states "Scipio Africanus was the first Roman who shaved everyday".[152] The Greeks, down to the time of Alexander the Great failed to appreciate the comfort and cleanliness of a shaved chin, and on that account were held in such abhorrence by the Egyptians, who followed the Indian custom of shaving and that according to Herodotus[153] "no Egyptians of either sex would on any account kiss the lips of a Greek, make use of his knife, his spit and cauldron or taste the meat of an animal which had been slaughtered by his hand". Among Indian sages, hermits and men who had renounced the pleasures of the world, as also men in mourning, kept it as a mark of penance like the Egyptians[154] and the jews[155] and unlike the Greeks, who shaved on those occasions. The bearded officer who appears to be so irresistible among the lasses in Europe would have found scant chance among the damsels of India who have detested the beard and to account for the blindness of Dhṛtarāṣṭra, a story has been referred to in the Ādiparva of the Mahābhārata in which a lady closes her eyes at the sight of her brother-in-law donning a beard.[156]

Nearchus[157] further informs us that the Indians used parasols which was meant to protect the body from the heat of the sun. Strabo[158] in course of describing the richness of the attire which the Indians used to wear seems to have corroborated the statement of Nearchus.

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152 VII, 59 and Wilkinsons Ancient Egyptians, Vol.III, p. 359.
153 II., 41 and 91.
154 Wilkinson, Ancient Egyptians, Vol.II, p. 36 and Vol.III, p.12.
155 Genesis, XII.14.
156 The Mahābhārata translated by Kali Prasanna Singha, Vol.I p. 114. Published by Sāksharatā Prakāsanī.
157 Nearchus Fragm. 9 and 10 = Arr. Ind. 16.
158 Strabo XV.C.709 = Megasth. Frag. 27.

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Both Nearchus and Strabo have probably described the dresses of those who appeared to have belonged to either wealthy section or to the royal household.

From their observations, it appears that the description which the Greeks have supplied to us regarding the use of sun-shades probably indicates that the parasols were used by the people belonging to richer section of the society. Both the Bṛhatsaṃhitā[159] and the Yuktikalpataru[160] appear to have devoted a chapter on the use of umbrella. Both the texts classified umbrella in two classes viz., one meant for sovereigns (viśesa) and another for ordinary people, (Sāmānya), The project of using umbrellas by ordinary people according to the author of the Bṛhatsaṃhitā was meant to protect the body from rain and the sun.

Umbrellas were used both by men and women as it seems evident from the descriptions mentioned in the texts. Thus, kings and queens, princes and nobles, commanders, priests and other different classes of citizens had particular types of umbrella. The Goddess Gaṅgā may be described as having a white umbrella spread over head and Mahāśvetā, the heroine of Kādambari, is described as one having an umbrella over her head. As for kings umbrellas had been held as a most invariable insignia of Royalty held as a symbol of kingly authority. The Yuktikalpataru[161] appears to have mentioned umbrella as one of the equipments of the Royal

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159 Ch.72, pp. 922-924.

160 Ch.43, pp. 62-67.

161 Ch.39, p. 72.

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personages. The text[162] further furnishes that an umbrella should be composed of six parts, viz. danka (stick), Kāṇḍa (neck), Śalākā (spokes), Rajju (thread), Vastra (cloth) and Kīlaka (hinge).

As for the king's umbrella, the stick and the neck are required to be made of pure wood, spokes are to be made of bamboo of pure origin, both the thread and cloth are to be of scarlet colours another variant may probably be that the stick and neck are to be made up of sandal wood, the thread and cloth to be pure white and the nice umbrella thus made must be decorated with a golden pitcher at the top.

The main stick of the umbrella of ordinary people may be made of campaka, panasa, śāla, śrīphala, candana, vakula, nimba and vajravāraṇa wood.

Umbrellas also could be offered as gifts. Even to-day, umbrellas can be given as gifts on sacrificial, ceremonial and on other religious occasions. The Dānadharma section of the Mahābhārata 'enjoins the gifts of white umbrellas, having a hundred spokes as a religious act calculated to ensure the donar a long residence in the heaven, respected by Gods and the Brāhmaṇas.[163]

The formula enjoining the gift of an umbrella on the occasion of śrāddha appears to have been referred to in the Anuśāsana parva of the Mahābhārata.[164] It has been stated here that 'this umbrella is given to

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162 Ibid., p. 72.

163 Quoted in R.L.Mitra's Indo-Aryan, Vol.I, p. 264.

164 Chs. 95 and 96, pp. 2022-2023. Kaliprasanna Sinha Edition.

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the Brahmana for the protection in general'. One of the texts requires the gifts of earth, rice, water, gold, silver, cloth, scents, garlands, fruits, umbrellas, betal leaf and a seat as twelve gifts constituting a perfect body of gifts without which no worship may be said to have completed.[165] Another formula used in connection with the worship of the Mother Goddess Durgā, runs : 'Oh Mother, I am giving unto thee an well-made umbrella for protecting against the rain and the sun ; please do accept it and oblige'.[166] The Cullavagga[167] Vinaya seems to have referred to two kinds of chatta mentioned in the most ancient Buddhist sculptures. The old commentary on the corresponding rules for the nuns says[168] that sunshades may be either white or made of matting or of tālipot leaves ; they may be either mandala-vaddham, or śalākā-vaddham.[169] As to the etiquette to be observed in their wearing, the Cullavagga[170] further notes that 'it was a sign of courtesy' and the Mahāvagga[171] states that to put down a sunshade when entering an Ārāma i.e., a place of pleasure or garden[172] was a sign of respect.

Along with dying of hair we are told by Strabo that the Indians used to dye their garments also. The observation of the Greek writer seems to be correct since the Śukra-nīti[173] prescribes that dyeing may be done by the application of any one of the sixtyfour colours.[174] The Mahāvagga[175] has mentioned of six ingredients for dying of

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165 Girija Prasanna Majumdar, Some Aspects of Indian Civilisation, p.77.

166 Ibid., p. 78. 167 V.9.5 ; 23.2.3.

168 Bhikkhunī-Vibhaṅga, Pācittiya, lxxxiv. 2.1.

169 Sacred Books of the East., Vol.XX, p.134.

170 Viii.1.1.

171 V.12 and 61st and 62nd Sekhiyas-Sacred Books of the East, Vol.XX, p.272.

172 Monier William, A Sanskrit English Dictionary, p.150.

173 IV.iii.171.

174 Sacred Books of the East, Vol.XIII, p. 158. 175 VII.10,1.

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clothes. The text further names the sources from which the ingredients of colouring garments may be derived. The dye made of roots, trunk of trees, of bark, leaves, flowers and fruits were probably the chief ingredients for dyeing. The Mahāvagga further suggests that dyes may be extracted from the raw materials and the garments may be dyed in a dyeing trough. In the ṚgVeda[176] we have a reference to dyed attire of uṣas. In the Vājasaneyi[177] and the Taittirīya Saṃhitā[178] the expression Rajayitrī means a female dyer and appears to have been included in the list of victims of Puruṣamedha and from the Mahāvagga[179] we derive an additional information that the Bhikkhus had been allowed to put on robes of a blue, light yellow, crimson, brown, black, brownish yellow or dark yellow coloured robes which had flower on them and were also seen to have worn jackets and turbans. Kauṭilya[180] in his Arthaśāstra enjoins the Superintendent of Forest produce to cultivate Kiṃśuka, Kusumbha, and Kuṇkuma as material for the production of dyes. From the virāṭaparva of the Mahābhārata[181] it appears that people had a special liking for a particular colour for their dyes. Arjuna appears to have represented as saying : "Collect the white clothes of Ācarya and Śāradvata, the yellow ones of Karṇa, the blue ones of Aśvathhamā and the king". Even the Gods and Goddess, heroes and heroines had particular names on the basis of the colour of their clothes. Thus the name Pītāṃbara or the yellow clothed one denoted Kṛsna, Nīlambara or the blue coloured one indicated Balabhadra and so forth.[182]

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176 I. 92,4. 177 XXX.12.

178 iii, 4, 7,1. 179 Viii, 29.

180 Kautilya's Arthaśāstra, Translated by R. Sharmasastri, Chapter XVII, p. 110 (1915).

181 66, 13.

182 Girija Prasanna Majumdar, Some Aspects of Indian Civilisation, pp. 70-71.

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Nearchus[183] further states that the Indians used shoes made of white leather and these were elaborately trimmed while the soles of the shoes appeared to him to be of great thickness. If any one, he says further, wears such high soled shoes he would look much taller than his usual height. Hieun Tsang[184] holds a different view and says that 'most of the people go barefoot and shoes are rare'. But Beal[185] has translated Hieun Tsang in a slightly different manner while he states 'they mostly go bare footed ; few wear sandals'. Nearchus's observation appears to have tallied with the Indian texts which testify to the existence of the custom of wearing not only sandals but also many types of shoes. To justify the observation of the Chinese pilgrim it may be said that although Indian texts do not seem to have put restrictions on wearing shoes yet three fourths of the Indian people never used shoes. Those who wore leather shoes used to get rid of those whenever they could, not from any idea of inconvenience but due to its supposed impurity. It appears to have been quite common even for the most dignified and refined persons, to come before the presence of others with naked feet, leaving their shoes outside the room. We learn from the Indian texts about many types of shoes which were used by the Indians and sandals were allowed to be worn even by those who had renounced the world. The Vāyu Purāṇa[186] quoted by Aparārka suggests that a Sannyāsī may have two pādukās (sandals) along with other bare necessities of life. Foot wear appeared to be common in ancient India both as a matter of luxury and as a necessity. The first mention of foot-wear may be found in the Atharva-veda[187] and in the Taittirīya Saṃhitā.[188]

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183 R.C. Majumdar, Classical Accounts of India, p. 230.

184 Watters On Yuan Chwang's Travels in India, Vol.I, p.151.

185 Beal's Buddhist Records of the Western World, Vol.II, p.134.

186 I. 8.

187 XX.133.4.

188 V.44-4 ; 6.6.1.

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The Gobhila Gṛhyasūtra[189] states that student should not put on shoes within the village of his residence but may use them outside it. Suśruta Saṃhitā[190] gives not only a description but also an explanation of the necessity of wearing shoes 'if any often travels barefooted, he feels out of sorts, his senses fail, vision becomes impaired and his expectation of life is reduced'. Foot wears were of two types viz., those made of wood may be called Pāduka, and those of grass or leather were called upānaha.

Shoes were made in wood and grass ; those were also made of coir.

Wooden foot-wears were exclusively used by the Sannyāsis and the Orthodox members of the priestly class who had an aversion to animals leather. In villages, wooden foot-wear, called Khaḍam may be taken as the ordinary form commonly in use by the people. It may be probable that in India these articles of dress were well-known and in common use by all who could afford to get them. The circumstances related in the Rāmāyaṇa regarding Bharata's placing on the vacant throne of Ayodhā, a pair of Rāma's slippers and worshipping it during the latter's protracted exile shows that shoes were important articles of wear and worthy of attention.

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189 111.1.6.

190 IV, XXIV.

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In Manu and in the Mahābhārata, there is frequent mention of slippers, and the time and mode of putting these had been pointed out. Medieval Sanskrit authors also seem to have alluded to the use of slippers pretty frequently. The Viṣṇupurāṇa[191] enjoins all who wish to protect their person never to be without leather shoes. Manu[192] in one place appears to have expressed great repugnance to stepping into another's shoes, and peremptorily forbids such usage. This text recommends the use of shoes when walking out of the house particularly in thorny places and on hot sand. The accounts regarding shoes and sandals appear to have also been dealt with in the Vinaya texts. Thus in the Mahāvagga[193] foot wears have been broadly classified as slippers, sandals and boots. These again appear to have been divided into different varieties as it seems evident from the Mahāvagga.[194] The text[195] further says that those may be lined inside and may be of various colours such as blue, yellow, red, brown black orange or yellowish. The same text[196] further furnishes the information that these shoes could be made of tina grass, muñja grass or babbaja grass, of the leaves of the date palm, of Kamala grass and of wool.

Arrian[197] says "They, the Indians, wear shoes made of white leather and these are elaborately trimmed, while the soles are variegated, and made of great thickness, to make wearer seem so much taller". This description may be identified with Khaḍam made of indegenous wooden material. In the Mṛchḥakaṭika[198] of Śūdraka, the mother of the rich courtesan Vasantasenā has been described as arrayed

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191 Book II, Chap.21. 192 IV.66. 193 V.2.3.
194 V.8. 195 V.1.30,13.13. 196 V.8.1 and 3.
197 R.C.Majumdar, Classical Accounts of India, p. 230.
198 Wilson, Hindu Theatre, Vol.II, p.87.

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in flowered muslin with her feet thrust into a pair of slippers showing that in ancient times as in the present day women of the town were in the habit of using foot wears.

Another custom prevailing among the Indians was the practice of colouring the teeth. Hieun Tsang[199] records that "they the Indians stain teeth red or black". The classical writers, however, are not known to have recorded the custom. No classical record appears to have mention about the art of application of colour (Missi) to the teeth. The custom of reddening and darkening the teeth have been prevalent in Assam and it was taken as a means of beatifying the faces.[200] The Siyadoni inscription refers to the Saṁgha of betel makers and its sale in the market. It may be suggested that reddening of lips was done by the use of betel.

We are further informed by Hieun Tsang about the dresses worn by the Śramaṇas. He says that the Śramaṇas were required to wear three pieces of robes. He further observes that the three pieces of cloth worn by them were of different styles as prescribed by different schools. He thus differentiates between the Śramaṇas who had in their dresses broad or narrow fringes and small or large folds. The observation of Hieun Tsang does not seem to be without any basis since the Mahāvagga[201] prescribes such robes for the Bhikkhus consisting of a double waist cloth and single upper robe and a single under garment.

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199 Watters on Yuan Chwang's Travels in India, Vol.I, p.151.

200 Yogini Tantra pt.II, Chapter IXV.15.

201 VIII, 13,4.

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The waist cloth (Saṁghāti) was meant for wrapping round the waist and back and secured with a girdle. The under garment (antar-vāsaka) was to be wrapped round the loins and those used to reach below the knee and fastened round the loins by an end of the cloth which was tucked in them, or was sometimes secured by a girdle. The upper robe (uttarāsaṁga) was supposed to be wrapped round the legs from the loins to the ankles, and the end was then drawn at the back from the right hip over the left shoulder and allowed to fall down in the front. Such style of wearing dress seems to have been the custom prevalent in Siam. The style of drawing back the end of the upper robe over the right shoulder and allowed it to fall down on the back instead of allowing it to fall down in front, the latter style may be identified with the prevalent custom amongst the Burmese sect in Ceylon. From the Mahāvagga[202] the practice of adjusting the robe over one shoulder may be noted as a special mark of respect. The Burmese custom might be in accordance with the most ancient way of usually wearing a robe.

The ordinary dress of laymen even of good family in Gotama's time appears to have been quite scanty and not in conformity with dress prescribed for the Bhikkhus.[203]

The antar-vāsaka found in the dress of the monks seem to have corresponded to the Satika of ordinary women, and resembled the shape of the udaka-sāṭika or bathing dress prescribed for the use of both

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202 I.29,2 ; IV, 2.2.

203 Rhys Davids, Book of the Great Decease, Vol. VI, p. 26.

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monks and nuns. The latter however appears to be somewhat shorter. The ordinary dress of the Bhikkhunīs or the nuns of the Buddhist ordes consisted of the same three garments prescribed for the Bhikkhus. Hieun Tsang[204] probably is right when he says that "the three robes the schools adhere to different styles having broad or narrow fringes and small or large folds". The Chinese pilgrim has stated about the style of wearing robes by the Siamese, the Burmese and some Buddhists sects in Ceylon.

The Chinese traveller appears to have classified the Indian religious orders into two broad divisions i.e., the Buddhists and the non-Buddhists. The latter probably includes those who appears to have belonged to any religion other than Buddhism. While describing the dresses of the non-Buddhist, he goes on saying that some wore peacock's tail and some were seen to have adorned themselves with a necklace of skulls.[205] We are further told by him that some were found naked and others used to cover their body with grass or boards. The Chinese traveller probably described the dresses of those persons who belonged to religious sects other than the Buddhists and in some cases even fails to differentiate the forest dwellers from those persons who followed particular religious faiths. The persons whom he had seen wearing peacock's tail do not seem to have belonged to any religious sect but who were forest dwellers. In fact, the Indians were very much fond of adorning themselves by various ornamental accessories as would be evident from the observations revealed not only by the Chinese but also from Nearchus

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204 Watters on Yuan Chwang's Travels in India, Vol.I, pp. 149-150.

205 Ibid., p. 148.

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and Strabo. Hieun Tsang further refers to persons who adorned themselves with a necklace of skulls. Those who wore necklaces of skulls may be identified with the Kāpālikas.[206] Those who appeared to be naked in the eyes of Hieun Tsang may be identified with the Paramhaṁsas, one of the four classes of ascetics or members of the Digambara sect, sky clad or naked ascetics belonging to one of the two sects of the Jainism. The anuśāsana parva of the Mahābhārata[207] appears to have classified ascetics into four classes such Kuticaka, Bahūdaka, Haṁsa and Paramhaṁsa, each of these being considered as superior to the preceeding one. As regards those who pulled out their hair and cut off their moustache, Hieun Tsang cannot be identified as members of any particular religious sects. Practising austerity was looked upon as much higher than sacrifice and it was not a mere distinction without a difference. This was considered a real advance in thought, because this sort of physical self mastery, the conquest of will over discomfort and pain had come to be placed above sacrifice. It was believed that the Gods had made the world by sacrifice ; now it came to be said in the Śatapatha Brāhmaṇa[208] that one god or

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206 Wilson, Religious Sects of the Hindus, p. 147.
The expression Kapalika represents one of the forms of Śaiva ascetics who used to carry human skull and used it as a receptacle for food (Monier William, A Sanskrit-English Dictionary, p.271). The Kāpālikas were formerly belonged to the sect of Karārī, worshipper of Devī in her terrible form and seems to be the representative of Aghora Gauṭā who were also known as Śaivists. (Aukhoy K. Datta, Bhāratbaṛṣīya Upāsak Sampradāya, Vol.II,p.92,181 (1314 B.S.)). In the drama Mālatīmādhava of Bhabhūti we have a reference to a man belonging to the Agora Ghauṭā who was trying to sacrifice Mālatī to Cāmuṇḍā.Mālatī was however rescued by Mādhava (5th Act). The Kāpālikas as lately only as seven or eight centuries ago sacrificed human victims to Kālī, Cāmuṇḍā, Chhinamastā and other personification of Śakti, the consort of Śiva, from whose neck hangs a string of human skulls. (Wilson, Religious Sects of the Hindus, p. 147).

207 141.89.

208 VI.1.1.13.

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another had brought forth the world by tapas and in the Aitareya Brāhmaṇa[209] we find the following :

> "Heaven is established on the air, the air on the earth, the earth on the waters, the water on truth, the truth on the mystic lore (of the sacrifice), and that on Tapas".

Although no details about self mortification are to be found in the books, or the particular practices in which such austerities, or self-mortification is described, yet we have a full statement of the stage it had reached as is evident from a dialogue held between a naked ascetic and Gotama[210] the Buddha. The naked ascetic appears to have enumerated twenty-two methods of self-mortification in respect of food and thirteen in respect of clothing, and among these the ascetic may make his choice.

"He is a plucker-out-of-hair-and-beard (destroying by a painful process the possibility of pride mere beauty of appearance)-or he is a 'Stander up' (rejecting the use of a seat) or he is a 'croucher-down-on the heels' (moving about painfully by jumps) - or he is a 'bed-of-thorns-man' (putting thorns or iron spikes under the skin on which he sleeps) - or he sleeps on a plank, or on the bare ground, or always on the same side - or he is 'clad-in-dust' (smearing his naked body with oil and standing where dust clouds blow, he lets dust and dirt adhere to his body)".[211]

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209 XI.6.4.

210 Rhys Davids, Dialogues of the Buddha, Vol. V, pp. 226-232.

211 Rhys Davids, Buddhist India, p. 244.

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Hieun Tsang further says that some matted their side hair and used to make a top knot coil. This description agrees to those who are known as Vairāgi. The term vairāgi seems to have implied persons devoid of passions and may be correctly applicable to every religious mendicant who estranged himself from the common interests and emotions of human beings. Virakta, the dispassionate and Avadhūta, or the liberated appears to have a similar import. Such mendicants may have been the predecessors of the Rāmānandi class or its ramifications, as the disciples of Kabir, Dādu and others. These men generally allow their beard to grow and their hair of the head may be seen long and matted. They may even go naked and smear ashes all over their bodies when engaged in begging, some appears to go through the streets uttering aloud the name of some god, others go from house to house or remain at a particular place where people are expected to give them alms.[212] Men who wear their hair coiled up carefully upon the head may be called irrespective of any sect Jhuttadarees or those who wear their hair falling in disorder about the face may be said to be Bhoureeahs.[213]

In addition to the dress worn by the Indians Hieun Tsang[214] seems to have thrown interesting light on the fashion of hair dressing. The Chinese traveller has noticed that the Indians wore bushy whiskers and the hair on the crown of the head was made into a coil. Although keeping of beards was not the practice of the day yet sometimes men wore short beards and whiskers with upper lip shaven. The same custom appears

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212 Nainar, Arab's Knowledge of Southern India, p. 120.

213 J.C.Oman, The Mystics, Ascetics and Saints of India, p. 39.

214 Watters on Yuan Chwang's Travels in India, Vol.I, p. 148.

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to have been noticed by Curtins Rufus[215] who says that "the beard of the chin they never cut at all, but they shave off the hair from the rest of the face so that it looks polished." The hair was taken back from the forehead and clipped or coiled in a knot with a fillet to support it at the back of the head. That the hair was braided and was surrounded with a fillet appears to have been attested by Strabo who however refers to the art of clipping the braided hair by a head-band. The style of hair dressing followed in ancient India had been of various fashions. Sometimes a skull cap with a raised point or a pointed cap seem to have been used for making the hair curling into a point. Three bronze figures of dancing girls unearthed at Mohenjo daro appears to have indicated that the coiled hair in a heavy mass was taken above the left ear to fall over the right shoulder.[216]

Not only women but also men sometimes wore their hair coiled. In fact different Āryan tribes appear to have had distinctive styles of wearing the hair. From the RgVeda[217] we find that Vasiṣṭhas could be recognised by their white clothes and 'Kaparda' worn by the right-side of the head so that they never used a turban and apparently no Brāhmaṇas originally seem to have used them. From the Vājasaneya Saṃhitā[218] we further learn about another style of hair dressing in which the Kaparda was worn in front (Pulasti). The latter expression may be taken to mean that the hair was held plain. A Kaparda placed in front of the head probably relates to Rudra's Kaparda. It seems probable

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215 R.C. Majumdar, Classical Accounts of India, p. 105.

216 R.K. Mookerji, Hindu Civilisation, p.17 (1936).

217 VII. 33.1 ; 83.8.

218 XVI.43.

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that Pulastyas were so called since they had a distinctive style of wearing the hair. It appears equally probable that the pulasti style was so called since the Pulastyas i.e., an early Brāhmaṇa group cognate to the Agastyas were seen to have used this fashion and not for using a frontal mode of Kaparda dressing. This class may be named as Pulastyas i.e., Pulastyas while the Agastyas seem to have meant the same things. In all the purāṇas the Pulastyas were regarded as Śaivites. The expression Kesaraprabandhayah in an Atharva-Vedic passage[219] would yield a much better sense if the whole is taken to the results of the famous Haihaya Bhārgava conflict. This reading would show that the Bhārgavas were kesara-prābāndaḥ or wearing braided hair like manes which seems to be quite in agreement with the similar Vedic references to Brāhmaṇical hair dressing. Some of the Vedic Gods in the ṚgVeda[220] are mentioned to have worn Kapardas and Opaśas. This epithet does not however appear in the case of Goddesses like Sinīvālī.[221] The ṚgVeda further informs us that Rudra appeared to have his hair in the Kaparda style, similarly Pūṣan and Indra had Opaśa fashion. These divinities appear to have been indigenous and extra-Āryan in origin and it may be significant to note that peculiar styles of hair dressing to the exclusion of those of head-dresses might have been the characteristics of the Brāhmaṇas and of such Gods.

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219 V.18.11 220 X.103.8.

221 It may be that in the Epic-Purāṇic mythology Sinīvālī and other cognate Goddess may be attributed to specially Angirasa and domestic ones. Mudgala of Pāñcāla who became an Angirasa wore a Kaparda carrying at the same time an aṣṭrā like Vrātya chiefs.

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CHAPTER -V

FOOD AND DRINK

The Upaniṣadic word denoting food appears to be anna, which may have derived from the root ad (to eat) and means "that which is eaten". Thus all eatables may come under the term anna. In modern parlance, however, it primarily denotes 'boiled rice' or a preparation of a substitute of rice, wheat or barley. When we are told that some one of us is taking his meal, we at once understand that he may be eating rice. The expression food, no doubt denotes wider sense and seems to be synonymous to āhāra.

The edible or eatable articles constituting meal may not be altogether limited to rice only. It varies according to region where the different eatable crops may be produced in abundant quantities. To an Indian however, when he takes food it means no more than rice or some of its substitute.

In early Buddhist literature the denotation of the term ahara seems to have included four kinds of food such as (1) the food that may be mastigated (Kabaliṅkārāhāra) i.e., food for the stomach (2) the food consisting of sensibles (phaṛsāhāra) i.e., food for senses (3) the mental reactions (monosaṅcetanā) i.e., food for the mind and the Aṅguttara - Nikāya[1] and Vibhaṅga suggests that food which

1 Vol. III, p. 192; Vibhaṅga Pp. 402 - 403.

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helps in producing the intellect or spirit. The food with which we are concerned may be of such type which requires mastigated i.e., Kabalin-karahara. According to early Buddhist Sattāhāraṭṭhitikā food is substance of all forms of life. Susruta,[2] an authority on āyurveda of the science of life states that 'Life is impossible without food'. Food is the source of the growth strength and healthful glow of organic beings. It is the food that makes them operative in their respective fields of action. It is irregularity in diet which brings about ill health'. The text[3] further suggests that the expression anna or āhāra also include material food since the term annapāna and khajjabhojja undoubtedly indicate the same. Khudda-kapatha commentary however appears to have explained the set of words as meaning four kinds of ahara which is also corroborated by the Bhagavadgitā[4] which mentions four kinds of food viz: (1) asita (solid) (2) pīta drinks (3) khāyita (food tested by chewing) and Sāyita (food tested by licking). This enumeration seems to be identical with what Susruta has suggested to us. The Saṃhitā appears to have expressed four kinds of food by using the four terms carvya (food tested by mastication), cūṣya (food tested by chewing) lehya (food tested by licking) and peya (food used as drinks).

Thus the elements of drink or liquid food may be associated with those of the solid variety of food. But drinks also form a category by themselves and may or may not be taken with usual diet. The spiritous liquors or similar intoxicants may be treated as drinks also. Megasthenes,

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2 I. Xlvi.

3 XLVI Annapāna vidhi Cf. also Caraka I, 27 and 28.

4 15. 14.

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Strabo and Hieun Tsang have thrown us much light on the dietory system of the people of India. The Chinese pilgrim[5] amongst others has enumerated in detail the items of food such as milk, ghee, granulated sugar, sugar candy, cakes and parched grain, mustard oil from which the food for consumption were supposed to have been prepared for the Indians. The item which Hieun Tsang has referred to us seems to have coincided with the ingredients for various types of food mentioned in the Ṛgveda. Although the ingredients mentioned by the Chinese pilgrim may have coincided yet the scholar does not appear to have stated the types of food prepared out of those ingredients, nor does he indicate clearly the composition of the principal diet of the Indians. The expression 'go' which means ox or cow[6] suggests that these were considered amongst the chief sources of wealth to the Vedic Indians and the Sāṅkhyāyana Śrauta Sūtra[7] and Śatapatha Brāhmaṇa[8] have referred to the animal as one of the sacrificial animals along with goat, sheep and horse.

Milk which was one of the principal items of food, was either drunk fresh or made into butter, ghṛta or curds (Dadhi) or was supposed to be mixed with Soma and with grain to form kṣīraudana.[9] The expression āmikṣā probably indicates clotted curds but it does not find mention in the pages of the Ṛgveda. It occurs in the sense of clotted curds in the Atharva-Veda,[10] Taittirīya Saṃhitā[11] and Śatapatha Brāhmaṇa.[12] It may be that the Ṛgvedic Indians did not know the use of it.

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5 Watters on Yuan Chuwang's Travels in India, Vol.I, p. 178.

6 i. 83, 1 ; 133, 8. 7 i x 23,24.

8 ii. 4.3.13.

9 Macdonell & Keith, Vedic Index, Vol.I, p. 232.

10 X. 9.13. 11 ii.5.5.4 ; iii,3.9.2.

12 i.8, 1,6.9.

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It may be pointed out here that milk was used not only as a drink but also it was used in the sacrifices of the Vedic Indians as it seems evident from the frequent use of the expression in association of Yagna.

Milk and its products, chiefly ghṛta i.e., the modern ghee or clarified butter seem to have been repeatedly used in the ṚgVeda[13] and Vājasaneyi Saṃhitā.[14] Both the articles appear to have been indicated as a principal ingredients for the preparation of food and as a customary offering for sancrifice. The widespread mention of and the prodigious list of milk products and their mixture in literature undoubtedly indicates the popularity of milk both as a food as well as a drink. From Sayana's commentary on the Aitareya Brāhmaṇa[15] we learn the distinction between ghṛta and sarpis, the latter being fully melted while the former was melted and hardened. In the ṚgVeda[16] Agni appears to have been styled as butter faced because butter was thrown into the fire. The apupa in the ṚgVeda[17] seems to be a cake mixed with ghee and in the Śatapatha Brāhmaṇa[18] this cake is mentioned as made of barley. 'Odana' might be a common expression in the ṚgVeda[19] denoting a mess usually made of grain cooked with milk.

Although milk appears to be very popular as a drink, several rules were stated in the Smṛtis regarding its consumption. Gautama[20] Āpastamba,[21] Vasiṣṭha,[22] Baudhāyana,[23] Manu,[24] Viṣṇu[25] and Yajnvalkya[26] have laid down that the milk of a cow should not be taken

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13 i. 134,6 ; ii.10,4.
14 ii. 22.
15 i. 3.
16 i. 143.7.
17 iii.52.7.
18 ii, 2,3,12,13.
19 Viii.69,14.
20 17. 22-26.
21 I.5,17.22-24.
22 14. 34-35.
23 I.5.156-158.
24 V.8-9.
25 51. 38-41.
26 I. 170.

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that may be Sandhinī. The latter expression may be explained according to Mitākṣarā on Yājñavalkya in three ways as 'a cow in heat', 'that gives milk once a day', 'a cow that yields milk on account of another calf being brought to it, its own being dead'. The milk of sheep and she buffaloes also may not be used until the lapse of ten days after delivery. The milk of Ewes, Camels and of all animals with one hoof may be forbidden altogether. The Mitākṣarā on Yājñavalkya[27] further prescribes that even the curds and other products of such milk may not be permitted while Viśvarupa suggests that in case of a cow whose calf has died or who may be a Sandhinī or ten days have passed after delivery, the milk of such a cow may be forbidden but not the curds and other products thereof.

Viṣṇu[28] further prescribes that the milk of even a cow that feeds on impure food should be used. In the Vāyu Purāṇa[29] we find that the milk of she buffaloes stands prohibited. Baudhāyana-dharma-sūtra[30] prescribes penance called Prājāpatya for drinking forbidden milk of all animals except the cow and a fast is required to be observed for drinking the milk of a cow when forbidden. Āpastamba Smṛti seems to have forbidden the milk of a Kapila cow to all except to Brāhmaṇas and the Bhaviṣya-purāṇa suggests that even a Brāhmaṇa may be allowed to use such portions of the milk of such a cow that remains after employing it in rites for Gods. The Brahmapurāṇa says that one should not partake of curds at night even if one may be required to start-on a journey, but in Madhuparka it may be used at night. Manu forbids[31] the eating after sunset of all food prepared with sesame.

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27 I.170

28 51.41 and Atri Verse 301.

29 78.17.

30 I.5. 159-160.

31 IV.75.

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In addition to the restriction imposed by the Smṛtikaras on the use of milk several herbs and vegetables were also forbidden as food from very ancient times. Hieun Tsang[32] seems to be correct when he says that onion and garlic were rarely used by the Indians. According to Āpastamba[33] all herbs from which liquors could be distilled such as Kalañja (red garlic), Palāṇḍu (onions), Pararīka (dark garlic) and whatever similar Vegetables which do not appear to have been used by the respectable people should not be eaten ; and a Brāhmaṇa text prescribes that 'Kyāku' (mushrooms) should also be forbidden.[34] Gautama[35] also forbids the use of leaves of trees such as kyāku, laśuna and the resins of trees and the red sap flowing from incisions made in the bark of trees. Vasiṣṭha[36] appears to have corroborated the views of Gautama. Manu[37] also lays down restrictions regarding the use of laśuna, Palāṇḍu gṛñjana, mushrooms (kavaka) and all herbs that appear to have spring from impure soil and manure. Manu also extends his prohibition to red resins and red sap as in case of Goutama and śelu (Śleṣmātaka) fruit. Yājñvalkya[38] adds Śigru to these prohibited herbs and prescribes the penance of cāndrāyaṇa for eating forbidden herbs and vegetables. There is great difficulty in determining the modern equivalents of some of the herbs and vegetables mentioned in ancient literature. According to a verse quoted in the Gṛhastharatnākara of Candeśvara[39] and also from the Smṛtimañjari gṛñjana appears to have been one amongst the ten varieties of palāṇḍu. Aparārka[40] seems to have quoted a passage from

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32 Watters on Yuan Chwang's Travels in India, Vol.I, p.178.

33 I.5.17.25-27.

34 Kane, History of Dharmaśāstra, Vol.II,Part II,p.783 and Hastings Encyclopaedia, Vol.6.p.64.

35, 17.32-33.

36 14.33.

37 5-6.

38 I.171 and 176.

39 p.356.

40 p.249.

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the Brahmapurāṇa forbidding various kinds of herbs and vegetables. The Mitāksarā on Yājñvalkya[41] quotes a sūtra of Śumantu that Lasuna and other vegetables may not be forbidden to those who are supposed to be ill and the ingredient may have been prescribed as their medicine. Cullavagga[42] also furnishes us with the informations that the Buddhists were not allowed to take onion. It seems that there existed no restriction if it be taken as a medicine. The Smṛticandrikā[43] while commenting on Śrāddha says that some Smrtis appear to have disallowed the use of hingu in Śrāddha while the Ādipurāṇa allows it and therefore it seems that there may be an option prescribed for the use of hiṅgu. The Gṛhastharatnākara of Candeśvara[44] shows that the round shaped alābu (gourd) was forbidden.

Regarding the using grains as a diet it appears that Āpastamba[45] lays down certain rules forbidding the use of dark grains like masa beans in Śrāddha. The Mahābhāsya[46] says 'when it is declared that masa beans should not be eaten, they are not eaten even when other grains of corn are mixed up with them'. The Gṛhastharatnākara of Candeśvara[47] quotes the Brahmapurāṇa forbidding the use of certain cereals such as rājamāṣa, sthulamudga (called methi in Marathi), masura and Saṅkha-Likhitā quoted in Anandāśrama Press edition,[48] seems to have allowed all cereals except kodrava Caṇaka (gram), māṣa, masura, Kulattha and uddālaka while offering are made to Gods. Vṛddha-Harita[49]

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41 III.20 42 V.34.1. 43 p.413.
44 p.354. 45 II.8.18.2. 46 Vol.I, p.127.
47 p.359. 48 p.394. 49 VII.110-111.

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also mentions the name of forbidden corns of various types. The Chinese pilgrim Hieun Tsang[50] further informs us that "fish, mutton, vension are occasional dainties (lit are occasionally served in joints or slices)". From the Mudrā Rākṣasa[51] of Bhāsa, it appears also that meat was common diet and flesh was regularly sold in shops. It seems that rich people and the Kṣatriyas ate rice mixed with preparations of meat. An interesting verse in the Udyoga parva[52] says that the food of the rich consists of meat, that of the middle class of milk and its products and that of the poor of oil preparations.

Hieun Tsang[53] informs us again about the rules which forbade the Indians to eat flesh of Oxen, Asses, Elephants, Horses, Pigs, Dogs, Foxes, Wolves, Lions, Monkeys, Apes and he further suggests that "those who eat such food become pariahs". His observation seems to be not without any reasoning since the Dharmaśāstra appear to have prescribed numerous rules restricting the use of flesh of certain beasts and birds and about fishes.

Gautama,[54] Āpastamba,[55] Vasiṣṭha,[56] Yājñvalkya,[57] Viṣṇu,[58] Śaṅkha,[59] the Rāmāyaṇa[60] and the Mārkaṇḍeya-purāṇa[61] prescribe that one should avoid the flesh of all five nailed animals except porcupine, hare Śvāvidh (a boar or hedge hog) iguana, rhinoceros and tortoise. But some of these works do not seem to have prescribed the

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50 Watters on Yuan Chwang's Travels in India, Vol.I, p. 178.
51 V.22. 52 Cr.Ed.34.37.
53 Watters on Yuan Chwang's Travels in India, Vol.I, p.178.
54 17. 27-31. 55 I.5-17-35. 56 14.39-40.
57 I.177. 58 51.6.
59 Quoted by Aparārka, p. 1167.
60 Kiṣkindhā 17.39. 61 35.2-4.

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flesh of rhinoceros. Vasiṣṭha[62] however notes that there was a difference of opinion about the flesh of the rhinoceros and wild boar. Gautama appears to have gone further and says that one should also avoid the flesh of all animals with two rows of teeth in the two jaws. He also prescribes restriction on the taking of flesh of hairy and hairless (like snake) animals and of village cocks and hogs and of cows and bulls. Āpastamba[63] appears to be the first śāstrakāra who totally forbade the consumption of flesh of animals having one hoof only such as, camels, gavaya (Gayal), village hog. Sarabha and of cows but allows the flesh of milch cows and bulls to be taken as the Vājasaneyaka declares the flesh of these to be pure.[64]

Āpastamba[65] however lays down rules for the teacher of the Veda and says that a teacher of the Veda should not be allowed to eat the flesh in the months from Upākarma to Utsarjana. This shows that even Brāhmaṇas who alone would ordinarily be teachers could take meat in other months of the year. Āpastamba[66] declares that a student would not be required to observe anadhyāya if he ate stale food or uncooked flesh. The Sūtrakāra however seems to have relaxed the rules and prescribes that if flesh was offered to a guest, - the merit was equal to the performance of the Dvādaśāha sacrifice. The Mahābhāṣya of Patañjali[67] states that the precept 'a village cock or hog is not fit to be eaten leads to the inference that a town hog also is unfit for food as meat'. Vasiṣṭha[68] goes further to state that if an ascetic does not partake of flesh when requested to do so in a Śrāddha or in a rite for the Gods, he falls into hell for numberless years. Manu[69] probably holds the same view like Vasiṣṭha. Gradually however a change came over the sentiments of the people.

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62 35.2-4. 63 I.5.17.29-31.
64 Kane, History of Dharmaśāstra, Vol.II, Part II, p. 777. 65 II.2.5.15.
66 I.3.11.4. 67 Vol.III, p. 320.
68 XI.34. 69 V.35.

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Megasthenes[70] and Strabo[71] state that the first caste of philosophers which was divided into two sub-divisions, viz., Brachmanes and Sramanes (Śramaṇas) abstained from animal food and sexual intercourse and that after living in this manner for thirty seven years they begun to live with less restraint and were allowed to eat the flesh of animals, particularly of those that did not assist man in his labour. It seems that Megasthenes and Strabo probably referred to the period of brahmacārins. The Great Emperor Aśoka declares in his Rock Edicts[72] how originally thousand of animals were killed in the Royal kitchen, how he had brought down the number of birds and animals to be slaughtered to two peacocks and one deer daily and he had resolved to discontinue the slaughter of even this limited number thereafter. In 'the fifth pillar Edict[73] the emperor Aśoka notes that when he had been on throne for twenty six years, he declared numerous animals to be avadhya (not to be killed). The general rule appears to have been stated by Āpastamba[74] who stressed upon performing homa and bali from either of the cooked food or from the food which was kept ready for the householder. The Ayodhyā Kāṇḍa of the Rāmāyaṇa[75] states that whatever food a man eats, the same is the food to be offered to his deities." Medhātithi on Manu[76] also quotes this. Ancient works spoke of meat offerings to God and in madhuparka and śrāddha. Therefore some of the smṛitis like those of Manu and Vasiṣṭha did not give their wholehearted support to the use of flesh. Manu[77] at first allows killing of animals only in madhuparka, sacrifices and in rites for gods and manes and no other occasion. He[78] further prescribes that no sin may be incurred in eating meat when one's life may be in danger either owing to famine or disease. The meat eater may be allowed to take the meat even of the animals

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70 McCrindle, Ancient India as described by Megasthenes and Arrian, p.99 (1876-77)
71 XVI.1.59. 72 Second and fourth rock edicts.
73 Delhi-Topra. 74 II.2.3.12. 75 103.30.
76 V.7. 77 V.27-44. 78 V.27 and 32.

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purchased or reared by him or flesh given by another, out of which portions may be intended for offering to gods and manes, and further clinches his exhortation by ordaining that he who kills an animal except for this limited purpose, he may be deemed to have killed himself and he would take birth as many times as the number of hairs of the slaughtered animal. Yājñavalkya[79] and Viṣṇu[80] seem to have possessed identical view. Manu[81] and Viṣṇu[82] suggest that herbs or plants, animals, trees, lower animals, birds that are required to be destroyed for the sake of performing sacrifices would take birth again in better forms. That himsā i.e., killing of or injury to sentient beings done according to the dictates of the Veda would be deemed not as himsā since dharma springs from the Veda alone. This position that injury inflected upon animals or plants in persuance of Vedic precepts may be an act which does not amount to himsā seems to be an ancient idea. Besides the flesh of five animals, having nails, Vasiṣṭha[83] further allows the flesh of animals with one row of teeth (except camels) and also of certain kind of birds and fish. Yet it appears that the Sūtra[84] takes up the position as that of Manu, who says that himsā may be allowed in sacrifice. Manu[85] and Viṣṇu[86] appear to have passed their opinion in favour of total abstention from killing animals even in sacrifices. Manu[87] however says that where śāstra allows men to take flesh or indulge in drinking wine in the case of certain persons and on certain occasions, abstention in these matters even on occasions, leads to great rewards. Desisting from meat eating was considered as an act of merits It seems clear from the passages of Manu, Viṣṇu and Vasiṣṭha that they were the upholders of ahimsā or non-injury but there were two classes of people in their days who were not opposed to flesh-eating.

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79 I. 179. 80 51.60. 81 V.40 and 44.
82 II.63.67. 83 14.39-40. 84 VI.5-6.
85 V.46-55. 86 51. 69-78.
87 V.50.

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One class holding the idea that it would be improper for them if they do not observe the sanctions of the Veda when it expressly permits killing of animals, the other indulged in flesh eating without any restrictions. It seems that centuries were required before the views propounded by Manu became predominant. Gradually large sections of the population of India gave up flesh eating and even those who did not regard it as forbidden rarely partook of it or did so in an apologetic way. The spread of Vaisnavism tended to wean the people from flesh as required by the Bhāgavatapurāṇa.[88] And as a result, many people by following the path of Vaisnavism remained absentious from flesh dictory. It appears that from ancient time Kṣatriyas were flesh-meat eaters. In Pratijña Yougandhararāyaṇa[89] composed by Bhāsa, we have an evidence that piece of mutton saturated with salt and ghee appears to have been referred to as being placed in a drinking bowl, the reference has been made to Gātrasevaka who does not seem to be a Brāhmaṇa and thus it appears that meat eating was not current in those days especially among the Brāhmaṇas. In the Vanaparva of the Mahābhārata[90] it has been stated that the Pāṇḍava heroes killed deer with unpoisoned arrows and offered vension to Brāhmaṇas and partook of a part of the same themselves. In the Sabhāparva[91] King Yudhiṣṭhira, on the opening of Mayasabhā feasted ten thousand Brāhmaṇas with various delicacies including the flesh of wild boars and deers. The Vānaparva[92] of the Mahābhārata appears to have offered the consoling thought that animals killed in sacrifices to the accompaniment of Vedic mantras would be deemed to have gone to heaven. It narrates the story of Rantideva in whose sacrifices two thousand animals and cows were killed every day. The Anuśāsana Parva of the same text probably contains the view that there does not exist

88 VII.15.7-8. 89 Act. IV. 90 50.4.
91 4. 1-4. 92 208.11-12.

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anything so nourishing as meat for those who happened to be wounded or weak or worried and who may have been given to too much of sexual indulgence. The Anuśāsana[93] further allows flesh of animals killed by hunting to be eaten by the Kṣatriyas. It seems that some passages of the Mahābhārata equally conveyed the same sentiments as that of Manu e.g., the Anuśāsana[94] etc., which on the other hand praises those who abstained from taking meat. A few verses[95] of this chapter appear to have propagated similar views like that of Manu. Śankha quoted by Aparārka[96] approves partaking of the flesh of buffaloes, goats, rams, ruru deer, ordinary deer and spotted one. Harita quoted in the Grhastharatnākara[97] mentions the flesh of goats, rams, buffaloes deer of various kinds, rhinoceros and large forest-boars as permissible while Devala quoting the same text forbids the flesh of cows, asses, camels, horses and elephants, lions, tigers, bears, śarabhas, snakes, boa constrictors, rats and mice, cats, monogoose, village hogs, dogs, jackels, animals of unknown species, chettas, dark-faced apes, monkeys and human beings. Manu[98] and Visnu[97] were of opinion that he who gave consent to the killing of animal, who cuts off the limbs and actually kills the animal or either sells or purchases meat and serves meat to another may be considered guilty of killing the animal. Yama however seems to be of the opinion that the eater of meat would be the greatest sinner as if there were no eaters of meat except the person who expressed the desire to take meat and for whom the animal had to be killed. As regards birds flesh Gautama,[100] Āpastamba,[101] Vasistha,[102] Visnu,[103] Manu[104] and Yājñvalkya[105] seem to have contained long lists of birds, the flesh of which was forbidden and of those the flesh

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93 116. 16-19. 94 115. 95 115. 44-45, 48.
96 p. 1167. 97 p. 375. 98 V.51.
99 51.74. 100 17.29 and 34-35
101 I.5.17. 32-34. 102 14.48. 103 51.29-31.
104 V.11-14. 105 I. 172-175.

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of which was allowed. All birds that usually subsisted on raw flesh i.e., Cātaka, parrot, hamsa and birds dwellings in a village such as, baka, birds that scratch dunghills may be forbidden while wild cocks and peacocks were permitted. Śabara quotes a Vedic text on Jaimini[106] to the effect that no one who appears to have constructed fire altars (agnicit) should be allowed to eat flesh unless the work for which he was meant for was completed.

About the eating of fish there seems to have existed no unanimity among the lawgivers - Āpastamba[107] forbids the flesh of ceta and also the flesh of snake-like heads such as makara. The Sūtrakāra[108] however has expressed his apathy towards the flesh that usually subsist on dead flesh and the fishes that have heads like men or that look like elephants. Manu[109] on the other hand totally discards the flesh of all types of fishes and regards it as the worst form of flesh eatings but then makes an exception in favour of fish called Pāṭhīka and Rohita if used in rites for gods and Manes. Vasiṣtha,[110] Gautama[111] and Yājñvalkya[112] also hold identical view like Manu.

As regards drinking of wine Hieun Tsang observes "There are distinctions in the use of their wine and other beverages. The wines from the vine and the sugar cane are the drink of the Kṣatriyas ; the Vaiśyas drink a strong distilled spirit ; the Buddhist monks and the Brāhmaṇas drink syrup of grapes and sugar cane ; the low mixed caste are without any distinguishing drink". In Śākuntala of Kālidāsa[113] it has been stated that

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106 I. 172.175. 107 V.3.26-28. 108 I.5.17.36-37.
109 V.14-15. 110 14. 41-42. 111 17.36.
112 Watters on Yuan Chwang's Travels in India, Vol.I, p. 178.
113 Act. 6.

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even the fisherman said to have belonged to lower caste and also the superintendent of police engaged in the Royal Court, were in joyous mood to have a large quantity of liquor as soon as they would get the reward from the king for the recovery of the ring. It appears that during the time of Bhāsa people ~~engaged~~ enjoyed various kinds of drinks such as surā, madhu maireya and āsava.[114] It was by the time of the Brāhmaṇas that restrictions were placed on meat-eating and wine drinking due to certain moral and ethical ideas. The killing of animals on occasions of sacrifice was however no taken as slaughter, and all, including the Brāhmaṇas, partook of the flesh offered at the time of sacrifice as it was taken to be sacred. The cow and the bull were, however, raised to divinity in the epic period principally through the association the cattle with the god-head Srī Krsna and the killings of a cow was regarded as a great sin and the eatings of their flesh was forbidden to all the Hindus. Gradually as it came to be believed that meat eating was a hindrance to progress in penance and was harmful for high thinking. Thus a general tendency grew up and became manifest against flesh-eatings. The only exception was in the case of sacrifices. The Kṣatriyas of the epic period were noted for their addiction to liquor. But the Brāhmaṇas were strictly prohibited from drinking and later on, it was regarded as one of the five principal sins. In the Jātakas[115] there does not appear any restriction with regard to food and drink. In spite of the campaign of Buddhism against sacrifices, the Jātakas speak of large number of sheep, goats, swine and other living creatures being killed at Benaras for performing sacrificial rites. Hiuen Tsang's observation as to the drinkings of wine and beverages may be reasonable on account of the fact that Gautama[116] Āpastamba[117] Manu[118] seem to have forbidden all

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114 A.D. Pusalkar, Bhāsa-A Study, p. 440.

115 47, 61, 227, 459, 460, 497, 512.

116 II.25.

117 I.5.17.21. 118 XI. 94.

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kinds of intoxicants to Brāhmaṇas at all stages of life. Before the injunctions prescribed by the Sūtrakāras, Soma was widely drank by the Brāhmaṇas since the Ṛgveda bears ample testimony to the drinking of some kind of intoxicant - usually after being offered to Gods. It appears from the same text that a distinction has been made between Soma and Surā. The former being an intoxicating drink, but reserved for offered as a sacred beverage to gods and required to be drunk by the priests while the latter seems to have been meant as a beverage for common men and not usually offered to Gods. In the Ṛgveda[119] the sage Vasiṣṭha was seen begging pardon from Varuṇa for a man on the ground that a man does not commit sin by his own urge or power but it may be due to his destiny or to drinking Surā, anger or heedlessness. The Śatapatha Brāhmaṇa[120] appears to have contrasted soma with surā by saying 'Soma is truth, prosperity, light, and sura is untruth, misery, darkness'. The Kāṭhaka Saṃhitā[121] however contains an interesting passage which runs as follows : "therefore an elderly person or a youngster, the daughter-in-law and father-in-law drink liquor and remain babbling together ; foolishness (or thouhtlessness) is indeed sin ; therefore a Brāhmaṇa does not drink sura with the thought 'otherwise (if I drink it) I may be affected by sin' ; therefore this is for Kṣatriya, one should say to a Brāhmaṇa that surā, if drunk by a Kṣatriya, does not harm the latter." This passage makes it clear that at the time of the Kāṭhaka Saṃhitā public opinion had come to this stage that Brāhmaṇas had generally given up drinking Surā. The above passage from the Kāṭhaka has been quoted by the Tantravārtika

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119 VII. 86.6.
120 V.1.5.28.
121 XII. 12.

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on Jaimini and explained by it as referring to Sidhu(rum) and liquor prepared from honey. In the Aitareya Brāhmaṇa[122] it has been stated that a purohita had offered a vessel of surā to the king who was supposed to have undergone a solemn coronation ceremony. Aśvapati, king of Kekaya, had declared, as it appears from the Chāndogya Upaniṣad,[123] to the learned Brāhmaṇas who came to him for the lore about Vaiśvānara 'in my country, there is no thief no misor, no madyapa (drinker of intoxicants), none who has not kept the sacred fires, none who is not learned, no man of loose character, whence can there be a woman of loose character in my country' ? According to Chāndogya Upaniṣad one who drinks sura may be classes as one who had committed one of the five great sins.

It seems penitent to note that drinking wine was not considered to be a serious flaw. From the text it appears that in the festivals people belonging to whatever Varna may be allowed to drink wine. In Sanskrit-drama like Mālavikāgnimitra[124] of Kālidāsa and Mudrā Rākṣasa of Viśākhadatta[125] we find that although drinking was looked upon as vice yet in public festivals or festive occsions like Kaumadi Jāgara people seems to have indulged in wine to some extent. (Kaumadi jāgara festival is an old festival referred to by Bhāsa in his drama Svapna Vāsavadatta (Act II) as well as in Harṣa Carita of Bāṇa (6th Ucchvasa). In this festival which was observed on the occasion of the full moon night in the month of Āśvin, the people on this festive occasion went without sleep by playing at dice or various other amusements including drinking etc. In Mālavikāgnimitra the presence of the intoxicated Irāvati further indicates that in those days people used to drink. It seem somewhat strange that in some of the Gṛhyasutras it appears to have been stated that in

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122 37.4. 123 V.11.5. 124 Act.III.

125 Mudrā Act. III.

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the rites on Anvaṣṭakā day while offering pindas to the male ancestors liquor may be required to be offered to the mother, paternal grandmother, paternal great-grandmother along with the pindas. The Āśvalāyana-gṛhya-sūtra[126] says that, 'to the wives of the ancestors surā may be required to be offered along with the scum of the boiled rice. The Parāśara gṛhyasūtra[127] states also to the female ancestors he makes a piṇḍa offerings and pours for them liquor and water oblations into pits". The kāthaka gṛhya-sūtra[128] also prescribes that in the Anvaṣṭakā surā was to be sprinkled with a spoon about the piṇḍas for women ancestors and the piṇḍas were to be eaten either by servants or by nisadas or may be thrown in to fire or water or Brāhmaṇas may be eat them. It seems difficult to assign reason for this. It may be conjectured that women used to drink even when their husbands had given up the practice owing to the force of public opinion or that in those days before the Gṛhya-sūtras became operative, intercaste marriage was allowed, the women ancestors were probably Kṣatriya or Vaiśya women by caste and so were not unfamiliar with drinking. Manu[129] forbids drinking to Brāhmaṇas and Kullūka seems to have noted that there were commentators who held that the prohibition was not meant for Brāhmaṇa women. Whatever the reasons for the above directions in the gṛhya sūtras may be, they run counter to the prevailing sentiments not only of the Kāthaka Saṃhitā and the Brāhmaṇa texts but also to the unanimous prescriptions of the Dharmasūtras and Smṛtis.

Āpastamba,[130] Vasiṣṭha,[131] Viṣṇu,[132] Manu[133] and Yājñvalkya[134] hold that drinking surā or madya may be treated as one of the grave sins (mahāpātakas). Inspite of this, the Baudhāyana[135] notes

126 11.5.5. 127 11.3. 128 65.7-8. 129 XI.95.
130 I.7.21.8 131 I.20. 132 35.1. 133 XI.54.
134 III.227.
135 I.2.4.

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that among the five peculiar practices of the Brāhmaṇas in the north was that of drinking rum and it condemns all the five practices. The verses of Manu[136] may be frequently quoted in digests and commentaries to the effect that 'Surā is the filthy refuse of food and sin indeed is called mala (filth) ; therefore, a Brāhmaṇa a Rājanya and a Vaiśya should not drink surā which may be of three kinds, viz., prepared from molasses, flour (or ground grains) and from flowers of Madhūka tree ; Brāhmaṇas should not drink any one of these three'. Viśvarupa on Yājñvalkya[137] the Mitākṣarā on Yājñvalkya[138] and Aparārka[139] appear to have interpreted these verses and tried to establish that the word surā primarily applies to paiṣṭi (liquor prepared from flour) as Vedic usage in the Sautrāmaṇī sacrifice and elsewhere shows that paiṣṭi may be forbidden to all Brāhmaṇas, Kṣatriyas and Vaiśyas, the drinking of liquor produced from Paiṣṭi constitutes mahāpātakas, that all intoxicants may be supposed to have forbidden to Brāhmaṇas but liquors other than paiṣṭi such as those prepared from molasses or madhūka flowers may not looked as forbidden to Kṣatriyas and Vaiśyas. In the Udyogaparva of the Mahābhārata[140] both Vāsudeva and Arjuna have been described as intoxicated by drinking the liquor prepared from honey and Tantravartika tries to indicate that there was nothing wrong in this since they were Kṣatriyas. Manu[141] and Gautama[142] opined that all intoxicants may be forbidden to Brāhmaṇas and only paiṣṭi to Kṣatriyas and Vaiśyas. Although intoxicants appear to have been forbidden even for the Śūdra, yet Vṛddha Hārīta[143] suggests that some people want that good Śūdras should abstain from drinking surā

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136 XI. 93-94. 137 III.222. 138 III.253.
139 p. 1069. 140 59.5. 141 XI.93-94.
142 II.25. 143 IX.227-278.

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but Manu rejects it and says that even a Śūdra became patita by falsehood, by pertaking of meat and intoxicants and by stealing anothers wealth and wife.

Āpastamba,[144] Manu[145] and Yājñvalkya[146] seem to have prescribed another rule for the Brahmacārin and suggests that a Brahmacārin of whatever varṇa was required to be abstained entirely from every kind of intoxicant. Viśvarupa on Yājñvalkya[147] appear to have referred to a passage from the Caraka-Śākhā which states that when Śvetaketu suffered from a skin disease (Kilāsa), the Aśvins told him to take madhu (honey or wine) and meat as medicine and when he asked how being a Brahmacārin he could do so they replied that a person must first save himself from disease and death by all means and then, only 'I shall perform meritorious acts'. Aparārka[148] quotes the Brahmapurāṇa and says that in the Kali age human sacrifice, Aśvamedha sacrifice and intoxicating drinks were forbidden to three varṇas, and to Brāhmaṇas in all yugas (ages). Even the Agnipurāṇa[149] gives a list of wines and condemns their drinking. It says "drinks, suchaas grape juice, juice of little grapes, palm tree though not properly intoxicating liquors should be deemed as wine while the drink known as the paiṣṭi heads the list of wines." The members of the three twice born castes should not take any of the intoxicating liquors stated above. But this contention seems to have been opposed to history and tradition. The Ādiparva of the Mahābhārata[150] narrates the story of Śukra, his daughter Devayāni and

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144 I,I,2,23. 145 II, 177. 146 I.33.
147 I.33. 148 p.63
149 Chap. CLXXIII. Eng. Trans. Vol.II, p. 661.
150 76-77.

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Kaca and states that Śukra forbade for the first time Brāhmaṇas from drinking intoxicants and declared that if any Brāhmaṇa drank surā thenceforward, he would be guilty of the grave sin of Brāhmaṇa murder. The Mausalaparva[151] states that Balarāma appears to have prohibited the drinking of surā from the day the musala (Iron pestle) for the destruction of the Yādavas was produced and directed that any breach of his order would be punished with impalment. The Śāntiparva[152] prescribes that those who always avoid honey, meat and intoxicants from their birth would be able to surmount all difficulties. The same[153] parva further suggests that if a man drank liquor when in danger or through ignorance he would be required to undergo upanayana again. The Agnipurāṇa[154] also suggests that if any one of the members of the three twice born castes take any of the intoxicating liquors, he should work out for purification by practising penances and by bathing. For a year he should live upon grain of rice each day and a cake of the tila once in the night. He even goes so far as to enjoin that a man having drunk water out of a cup previously containing wine should practise a penance for seven days.

The Śabdakalpadruma[155] ordains 'wine is unfit to be drunk, unfit to be given and unfit to be accepted'.

The Smṛtis include the sin of wine-bibbing among the five capital crimes mahapatakas and ordain seven punishments against the offender. Even drinking water kept in a wine bottle may be held sinful.

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151 1.29.30. 152 110.22. 153 34.20.

154 Chap. CLXXIII. Eng. Trans. Vol.II, p. 661.

155 Vol.III, p. 592-593 ; Bhaviṣya Purāṇa ; Vṛddha-Yājñvalkya. Manu ; Pulasta ; Kurma Purāṇa ; Varāha Purāṇa, Gaḍuda Purāṇa, Kālikā Purāṇa ; Mahābhārata, Ādiparva, Chap. 79 ; and Tantras.

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The Epic story of the Ādiparva of the Mahābhārata[156] which appears to have been re-told in the Matsyapurāṇa narrates the circumstances that led to the first promulgation of prohibition by Śukrācarya. He cursed the Brāhmaṇas in general and himself in particular ; "This day forward the Brāhmaṇa, who, through infatuation, will drink sura, shall lose all religious merit that wretch shall be guilty of the sin of killing Brāhmaṇas and be condemned in this as well as in the future world. Let all pious Brāhmaṇas mindful of their duties to their tutors as also to the Devas and the mankind in general, attend to this rule of conduct for Brāhmaṇas ordained by me for all religious of the universe. The Matsya Purāṇa[157] seems to have a similar injunction. Henceforth the foolish Brāhmaṇa, who drinks wine shall become devoid of dharma and commit the sin of murdering a Brāhmaṇa and would be despised in this world as well as in the next.

In Pācittiya[158] the drinking of fermented liquors or strong drinks such as surā and maireya was condemned, and Buddha prescribed penance for drinking. The consequence and evils surāpāna have been exhaustively dealt with in the Jātaka stories. In the Surāpānajātaka we find the drunkards lamenting :

"We drank, we danced, we sang we wept, 'T was well
That when we drank the drink that states away
The senses, we were not transformed to apes" [159]

But the story of the origin and the evil effects of drinking may be found in detail in the Kumbha Jātaka.

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156 Chap. 76. 157 Chap.25,p.62-63, English Trans. Vol.I,p.83.
158 Sacred Books of the East, Vol.XVII,p.44.
159 Fousböll, No. 81, Cambridge History of India, Vol. I, pp. 206-208.

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A forester named Surā, went to the Himalayas to seek for articles of merchandise. Then in the midst of the trunk of a certain tree was a hole as big as a wine jar, filled with rain water. Round about it grew myrobalam plants (haritaki and vibhītakī) and a pepper shrub ; the ripe fruits from these (three plants) fell into the hole and while parrots were eating some paddy a few husked rice fell there too. So the water, fermenting through the sun's heat assumed blood colour. The forester saw some birds drank of it and becoming intoxicated. He himself drank of it and felt a desire to eat flesh and to satisfy it he killed birds. Now, not far from the place there lived an ascetic named Varuṇa. He caused himself also to drink the liquor from his reed pipe and from the fact of this drink having been discovered by surā and Varuṇa it was called by their names Surā and Vārunī.

They then shifted from place to place causing men of the cities to drink it and to become wild wretches. This led to the run of all India until Sakka appeared on the earth and by his exposition of the evils of the drink induced the people to give it up.[160] Hieun Tsang[161] while classifying the drinks mentions that Brāhmaṇas and Buddhist monks used to drink syrup of grapes and sugar cane. But the drinks prepared of any kind may be allowed if they appear to have fallen sick. According to Visnu[162] intoxicants (madya) forbidden to Brāhmaṇas may be of ten kinds viz, those prepared from madhūka flowers, from sugar cane juice from

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160 Fausboll, No. 512 Cambridge Vol.V, pp. 5-11 ; cf. also the Jataka-mala XVII. The story of the jar when drinking may be compared to a lovely but wrong path where drinking appears to have been described as madness producing abode of calamities, embodied disaster, mother of sins, sole and unparalleled road to sin and of the dreadful darkness of mind ; S.B.E., Vol.I, pp.141-148.

161 Watters on Yuan Chwang's Travels in India, Vol.I, p. 178.

162 22, 83-85.

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tanka fruit, i.e., Kapittha, from Koli i.e., badara or jujube fruit, from dates, from jack fruit from grape juice, from honey from maireya extracted from blossoms of a plant and from Cocoa-nut-sap. Viṣnu further suggests that these ten kinds may not be forbidden to Kṣatriyas and Vaiśyas. Megasthenes may probably be right when he says that "rice-beer was generally drunk".[163] The observations of Megasthenes that wine was drunk but rarely and that rice beer was generally drunk seem to be correct. The excise department having jurisdiction over wine was under state control and the sale and purchase of wine was looked into by the Superintendent of drinking houses. No one was allowed to sell drinks without permit and this was sold outside the licensed houses as those regulations were in vogue seem to be evident from Kauṭilya.[164] Pulastya quoted by Mitākṣarā on Yājñvalkya[166] and Aparārka[167] state that Surā distilled from rice flour, may be different from those kinds that Viṣnu had already enumerated. But Brāhmaṇas were not allowed at all to drink any kind of intoxicant. Megasthenes might have probably noticed men belonging to Kṣatriya or Rājanya class who were allowed to drink any kind of liquor but not Paiṣṭi. It may be stated that this sentiment against drinking stands still very strong among the Brāhmaṇas and drinking may be still looked down by all castes though owing to contact with the West some people including a few Brāhmaṇas regarded it as a fashionable indulgence.

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163 Megasth. Fragm. 27 = Strabo XV, C. 709.

164 Arthaśāstra II, 26, 25, p. 122-23, 119-121.

165 In Pratijña yougandharāyaṇa composed by Bhāsa, we find a corroborative reference to the sale of liquor in a public tavern. It may be inferred from contemporary accounts that the public drinking houses were under the superintendence and control of the government.

166 III, 253. 167 p. 1075.

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Manu[168] and Yājñvalkya[169] suggests that a wife who appear to have drunk wine may be abandoned even if she be a Śūdra woman married to a Brāhmaṇa. The Mitākṣarā on Yājñvalkya[170] quotes a text of Parāśara[171] and Vasiṣṭha[172] stating that half of the body of husband may be guilty of committing grave sin if his wife drinks surā. Vasiṣṭha[173] further informs us that a Brāhmaṇa wife who drinks wine may not be allowed by the Gods to reach the world of her husband after death and that she would wander in this world either as a beech in water or as an oyster. Yājñvalkya[174] holds the same view and adds one more and says that such a wife becomes in her subsequent lives either a bitch, a vulture or a pig in his world itself.

Viśvarupa quotes a text on Yājñvalkya[175] and asks the king to see that the vendor of liquors should have a flag staff at his shop to indicate the liquor shop. And the shop should be situated in the midst of the village and that the liquors should not be sold to antyajas except for medicinal purpose.

The Śukra-nīti-sāra[176] regarded distillation of wine and spirituous liquors from flowers as one of the sixty four Kalās or arts. The excise department of the ancient Indian state appeared to be astonishingly modern. The state was required strict supervision as it seems evident from Śukra-nīti-sāra that one should not visit liquor houses

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168 IX. 80.
169 I.73.
170 I.73.
171 X.26.
172 21.15.
173 21.11.
174 III.256.
175 I.140.
176 IV. III. 143.

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at night[177] and further the text[178] prescribes that one should not sell liquor at places other than at bars and in another place the same text[179] suggests that one should not be intoxicated with spirituous liquors and should not indulge in evil company.

And lastly the same authority[180] enjoins that the king should set up a gāñjā house (tavern) outside the village and the drunkards may be kept there. The king should never allow drinking liquor in his kingdom during the daytime. The Śukra-nīti-sāra[181] however assigns the reason for taking this precaution and says that 'the man who drinks wine is deprived of his intelligence and loses his business' and "of the man who drinks wine excessively intelligence disappears".[182]

Megasthenes[183] and Strabo[184] however have noticed that the Indians did not drink wine except at sacrifices. It seems that the the practise of taking intoxicants was probably in vogue during fourth century B.C. amongst the Purohitas who were required to worship deities with Soma which was usually drunk by the priests and not by the common people.

Drinking of liquor became so much detestable that even some means were required to be devised for purification. Gautama,[185] Manu[186] and Yājñavalkya[187] prescribe the procedure for purification for those who

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177 III.57-59. 178 III.63,64. 179 III.242.
180 IV. IV. 69-90 cf. Sacred Books of the East, Vol.XIII,pp.13,17,104,111.
181 IV. i, 126. 182 I. 229. 183 p.69.
184 XV.1.53. 185 23.1. 186 XI.90-91.
187 III.253.

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knowingly or unknowingly drinks surā prepared from Paiṣṭi and the persons may be purified only by death due to the pouring in his mouth of boiling Surā or water or ghee or cow's urine or milk. Vasiṣṭha,[188] Manu[189] and Yājñvalkya[190] appear to have prescribed that if any one of the three varṇas drinks surā through ignorance he becomes pure by undergoing the penance of Kṛcchra and by having upanayana performed again. Aparārka[191] quotes a Smṛti of Kumāra that a child upto five years does not require to perform any penance for drinking any intoxicant and that after five years but before upanayana the child's parents or other relative or friend would have to undergo it viz., three kṛcchras. We are further told by Manu[192] that in the case of kings there are ten vices springing from love of pleasure and eight vices produced by wrath and then it had further stated that among the vices the love of pleasure, drinking, dice women and hunting may be the worst and that drinking may be the most pernicious of all vices of kings. Kauṭilya appears to have agreed with Manu's view. Gautama[193] and Yājñvalkya[194] declares that though sons and grandsons would be bound to repay their ancestor's debts as a pious duty, they would not be bound to repay debts incurred for purchasing liquors and for gambling. Manu[195] and Yājñvalkya[196] further say that among the articles that a Brāhmaṇa would be forbidden to sell liquor even when he may be forced to take a trade under circumstances as a means of earing livelihood.

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188 20. 19. 189 XI. 146. 190 III.254-256.
191 p. 1070. 192 VII.47-52. 193 VIII.3.
194 XII. 38. 195 X. 89. 196 III. 37.

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Besides milk and its products, rice and barley were supposed to be the staple articles of diet as they were regularly offered into Gṛhya fire every morning and evening. It may be worth mentioning here that specimens of wheat and barley have been found in Mohenjo-daro (circa 3500 B.C.).[197] It may be supposed that the principal food of the Vedic Indian might consist of Apupa which seems to be a cake made of rice (Vrīhi) or of barley (Yava) and mixed with ghee. Odana i.e., a mess usually cooked with milk and karamba i.e., gruel, a kind of porridge made of yava. From the Jātakas[198] and Mahāparnibbāna Sutta[199] it appears that Buddhist monks divided food into two groups namely, Pañcabhojaniyas i.e., wet and soft food that could be swallowed such as rice, baked cornflour, meat and cakes and from Pac.,[200] we learn that Pañcakhāndaniyas might include hard and solid food, chewed or crunched, such as roots, stalks leaves, flowers and fruits.

Special varieties may be those made with water, milk, curds or ghi and beans, sesame or meat and may be named appropriately as tilandana since the expression tila denotes in the Atharva-veda[201] and in the Taittirīya Saṃhitā[202] the sesame plant and particularly its its grains from which rich oil 'Taila' may be extracted. In the Atharva-veda[203] again the term taula may be meant for taila. A porri[illegible]e prepared of grain, barley or sesame unhusked and slightly parched and kneaded may be karambha which it seems clear from the RgVedic[204] reference.

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197 Sir John Marshall, Mohenjo-daro and the Indus Civilisation, Vol.I, Ch. IV. Agriculture, and Annual Report of Archaeological of India, 1926-27, Sec.II, p. 54.

198 31. 199 I.10,11.5. 200 37 S.B.E., XIII, p.40.

201 ii.8,3 ; vi. 140, 2. 202 vii.2,10.2.

203 i.7.2.

204 i.187,16, ; iii.52.7.

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A soup of rice cooked with beans appear to have been mentioned in the Vājasaneyi Saṃhitā[205] since the expression Mudga denotes a kind of bean. Fried grains were also known to have been used. Barley gruel and decoctions of the grains seem to have been referred to,

Vātsyāyana appears to have mentioned rice, wheat, barley, pulses, a large number of vegetables such as mūlaka, āluka, pālaṇki, damanaka, āmrātaka, ervāruka, trapusa, vārtāka, kuṣmāṇḍa, alābu, sūraṇa, śukanāsā etc. and sweetmeats.

Kauṭilya[206] deals with the topic somewhat exhaustively. Two chapters appears to (have) dealt with the subject. The chapter on the Superintendent of Agriculture (Sītādhyakṣa) refers to various ingredients of food, such as different kinds of cereals and pulses, flowers and fruits, vegetables, bulbous roots etc.[207] The chapter on the superintendent of store-house[208] classifies various kinds of foods prescribes rules for their preparation and specifies what may be given to different classes of persons such as adults, children, women, slaves, labourer cooks and others. The superintendent of store house may further be required to see the storing of best kind of food stuffs. It appears from the epics that rice, barley and wheat were the chief food grains, rice being very popular.

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205 xviii. 12.
206 XV. and XXIV.
207 XXIV, p. 142.
208 XV, pp. 112-118.

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The Mahāvagga[209] of the Vinaya text and Sekhiya[210] and also corroborate the statements of Hieun Tsang and refer to us many articles such as rice, beans, tila seeds,[211] fresh honey,[212] rice-milk,[213] honey lumps,[214] congey curries, salt,[215] molasses,[216] oil[217] pot herbs,[218] fruits,[219] fish,[220] meat[221] and the five products of cow viz., milk, ghee, butter milk and butter. Although the Buddhist Bhikkhus were allowed to consume meat yet it seems that there exists certain restriction which is revealed from the following utturence of Buddha "Let no one, O Bhikkhus eat meat without having enquired elephants, horses, dog, serpent's flesh, Lion's flesh[222] since the flesh of those animals were declared unfit for consumption.

Śukra-nīti[223] however informs us about the extraction of oil from oilseeds which it seems may be one of the sixtyfour kalās. Kautilya[224] in his Arthaśāstra refers to us the name of various types of oil seeds such as white mustard, atasī,[225] mimba,[226] kapitha,[227] tila,[228] kusumbha,[229] ingudī[230] and mustard.[231]

Śukranīti[232] and Kautilya[233] further prescribe that sugar cane as the source of granulated sugar and sugar candy which appears to have referred to by Hieun Tsang[234] while describing the different items of drinks for the Indians.

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209 VI.34.20 210 27-40, 41-50. 211 VI.8.3.
212 VI.18.4. 213 VI.24.4. 214 VI.25.1.
215 VI.9.1. 216 VI.16.2. 217 VI.14.1.
218 VI.36.8. 219 VI.17.9. 220 VI.40.1. 221 VI.23.13.
222 VI.10-14,13. 223 IV.iii.187.
224 XV.95,XXIV.116 = Śukra nīti, IV.III,159-161. 225 XV.95,XXIV.116.
226 XXIV.116. 227 XXIV.116.
228 XXIV.116. Śukra-nīti, IV.IV.107-108,110-112. 229 XXIV.116.
230 XXIV.116. 231 XXIV.116. Śukra nīti.,III.619-620. 232 IV.iii.146.

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Megasthenes[235] who came to India as an ambassador to Pāṭaliputra draws our attention to the fact that 'each man took his food by himself when he felt inclined ; for they had no fixed times for common meals'. From the observation of Megasthenes it seems that he probably refers to the habit of the Indian people since they do not appear to have taken food even now unless appetite compells them to take it. From the Pācittiya[236] we learn that the texts also forbade the Bhikkhus taking meals at odd hours since they used to dine at any time. This habit was due more to custom than carelessness on the part of the Bhikkhus.

Megasthenes[237] further informs us about the style following which a man would be required to take supper. He says that 'a table was placed beside him and a gold dish set upon it'. It seems that before sitting to take supper one may be required to wash one's hands and feet. Manu[238] and Aunuśāsana parva of the Mahābhārata[239] suggest that one should begin one's dinner after having his feet wet since that leads to long life. Vyāsa quoted Smṛti Candrikā[240] prescribes that one should have five limbs wet at the time of taking food viz., the hands, the feet and the mouth. Megasthenes although does not mention the custom of washing the hands and feet before taking food yet I-tsing refers to this custom which tallies with the prescriptions of the Indian texts. He while describing the dinner arranged for the Buddhist priests

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235 Megasth. Frag. 27 = Strabo XV,C. 709.
236 XXXVII.
237 Megasth. Frag, 28 = Athenaeus IV, 153 D.
238 IV. 76.
239 104. 61-62. 240 Vol.I, p. 221.

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says that 'the priests cleanse their hands with powder made of peas or earth dust' and either the host pours water or the priests themselves use water out of kundi (jars).[241] Megasthenes was also not informed that before placing the vessel containing food on the floor which was required to be purified by pasting the place with cow-dung. In addition to the purification one would be required to draw figure either with water or with holy ashes. I-tsing's observation probably has coincided with what has been prescribed in India texts when he says that the 'dinning Hall at the host's house is strewn with cowdung'.[242]
The place where one may be required to take his food should be freshly cowdunged[243] while Smrty arthasara prescribe that one should not sit on a seat of cowdung cakes (dried) or clay.[244] According to Brahmapurāṇa quoted in Gṛhastha-ratnākara[245] the maṇḍalas (figures) for Brāhmaṇas, Kṣatriyas, Vaiśya and Śūdras should respectively be in the form of a square, a triangle, a circle and a crescent while according to Śaṅkha in Smṛticandrikā,[246] Laghu-śātātapa[247] Atri[248] in the case of the Śūdra water may be required to be sprinkled on the ground below his plate. The reasons for drawing maṇḍala under the plate appear to have been stated by these authorities as representing Ādityas, Vasus, Rudras, Brahmā and other Gods who may be supposed to pertake of only that food

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241 N.K.Sastri, Foreign Notices of Southern India, p. 109.
242 N.K.Sastri, Foreign Notices of Southern India, p. 109.
243 Kane, History of Dharmaśāstra, Vol.II, Part II, p. 759.
244 Ibid., p. 761.
245 p. 311.
246 p. 221.
247 133.
248 jivananda Chap. Vol.I, p.7.

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which would be offered to them after a mandala and if the mandala does not appear to have drawn it may be supposed that evil spirit and goblins would carry away the flavour of the food. The person taking his food should be required to sit on a stool either made of wood or a seat made of wool or of the skin of a goat. Āpastamba[249], however, suggests that the seat may be of skin of a goat. Smṛtyarthsāra[250] prescribes that one should not sit on a seat of clay or of the leaves of asvattha or Palasa or arka plant or a seat made by joining two planks together or on the shattered one. The vessel or plate from which one is required to take it may be placed on the mandala drawn on the ground. Veda Vyāsa[251] and Paiṭhīnasi quoted in Āhnika-Prakāśa[252] seem to have prescribed that the vessel from which one may eat may be made of gold, silver, copper lotus or Palāśa leaves. A vessel made of copper may be forbidden to householders who should use bell-metal (Kaṁsya) vessel. Āpastamba[253] however, says that a copper vessel with gold in the centre may be used. But a bronze plate for eating from, tāmbula and a luxurious bath with oil were not allowed to an ascetic, a Brahmacārin and a widow. Hārīta quoting Smṛti Chandrikā[254] states that one would not be allowed to eat in an iron or earthen vessel while Āpastamba[255] suggests that an earthen vessel not used for cooking may be used as a plate for meals. But if it had not been used for cooking food, then it may be used as a plate for food after being baked in fire. Hieun Tsang[256] also refers to the

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249 II. 8. 19.1.
250 p. 69.
251 III. 67-68.
252 p. 467.
253 II. 8.19.3.
254 p. 222.
255 I.5.17. 9-12.
256 Watters On Yuan Chwang's Travels in India, Vol.I, p. 178.

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utensils made of earthenware, a few being made of brass. Not only utensils of earthen ware were used but even an iron plate scoured with ashes may be held as pure and a wooden plate may be used provided it (undergoes) thoroughly scrapped from inside. I-tsing also observes that copper utensils were used which were cleansed by rubbing ashes. He further says, that utensils made of earthen were was in vogue provided those were not used before. He further describes that when "they have been already used, they should be thrown away into a ditch for used vessels (lit touched) should not be preserved at all".[257] In the Taittrīya Saṃhitā[258] frequent mention (appears to have been) made of earthen cooking pots (Kapālas) and for the dressing of the purodāśa Cake,[259] the Chāndogya parisista recommends hand made platters as purer than those turned on the potter's wheel.[260] The practice of using fresh pots on every separate occasion, a practice which was also observed by the Buddhists and may be noticed in the Mahāvaṃsa,[261] gave great importance to their manufacture.

Clay, however, was not only the material in use for the fabrication of domestic vessel in ancient times. The ṚgVeda alludes to Golden cups, silver, copper, brass and bronze which were well known and

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257 N.K.Sastri, Foreign Notices of Southern India, p. 108-109.

258 ii. 3,2,8. 259 iii, 28, 2.

260 Āsurena tu pātrena yatra dadyāt tilodakaṃ
Pitarastatra nāśranti daśabarṣāṇi pañca ca
Kulālacakraghatitamāsuram mṛnmayam smṛtaṃ
tadeba hastaghatitaṃ styālyādi daibikaṃ bhabet
śrādhatattvaṃ

cf. R.L.Mitra, Indo-Aryan, Vol.I, p.274.

261 Ch. XXIX, p. 173.

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used in the formation of weapons. The Sūtras and the Mahābhārata, however, leave no doubt on the subject, these frequently referred to vessels made of other than gold and clay. Tvashṭā, the vulcan of the Hindu Pantheon, was the most celebrated artificer of metallic arms, but the Ṛibhūs greatly excelled him in the formation of sacrificial vessels of wood and metal, and on one occasion Tvashṭā may be said to have sought to slay his rivals[262] and on another, "to have applauded their design, and admired the brilliant results of their skill".[263]

Manu[264] prescribes that one should not eat from a broken vessel, but Paiṭhīnasī remarks that there may be nothing wrong in eating from a broken plate made of copper, silver, gold, conch shell or stone. Some Smṛtis seem to have forbidden the use of lotus or palasa leaves, but Āhnika Prakāśa[265] further explains that this prohibition holds good only if the lotus plant grows on dry land and not in a pond or the like or when palasa appear to be a young plant. Paiṭhīnasī prescribes that one who desires wealth should not eat on a plate made of the leaves of the vaṭa, arka, aśvattha, kumbhi, tinduka and Karañja trees. Vṛddha-Hārita[266] prescribes that the plate may be of gold, silver or bronze or any leaf allowed by Sastra. The leaves of Palāśa and lotus may not be used by householder but may be used by ascetics, forest hermit and in Śrāddhas. Even in modern days people prefer plaintain leaves for dinning or silver vessels for honoured guests and Brāhmaṇas at Śrāddha or use

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261 Ch. XXIX. p. 173. 262 IV. 33, 5,6.

263 Muir, Sanskrit Texts, Vol.V, p. 226.

264 IV. 65.

265 p. 467.

266 8. 250-256.

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plates prepared from stitched leaves of various trees. Before sitting down to take one's food one is required to perform ācamana twice outside the place where one takes his meal. He is required to perform ācamana after taking his meals also. This practice appears to be very ancient since it has been attested by the Chāndogya[267] and Bṛhadāraṇyaka[268] Upaniṣads. The rules for performing ācamana before and after meals seem to have been laid down by Āpastamba[269] and Manu[270] and others also. Āpastamba[271] also states that a person when sitting down to eat should wear sacred thread in the upavita form and should have also an upper garment which was however not required for covering his head. A darvī (ladle or spoon) may be required to be employed in serving food, ghee, oil, cooked food, all condiments ; salt i.e., these should not be served by the bare hands but the spoon does not appear to have been used in giving water or uncooked food. I-tsing[272] also has referred to the same custom and says that "we never hear of chop-sticks in the five parts of India". We are further told by I-tsing while describing the items of food served on the plates of the guests that the mixing of different kinds of food was done by means of fingers. He further says that 'they the guests eat with righthand',[273] taking of food by finger has been referred to by Śaunaka quoted by Smṛti-Candrikā[274] and by Vṛddha-Hārita[275] where the texts appear to have dilated upon the different fingers of the hand that should be employed in taking the

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267 V. 2.2.
268 VI. 1.14.
269 I.5.16.9.
270 II.53. V.138.
271 I. 5.15.1.
272 N.K. Sastri, Foreign Notices on Southern India, p. 111.
273 Ibid., p. 110. 274 p. 225. 275 8.263-265.

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five āhutis to the life breaths while Bhojana-Sūtra says that according to Baudhāyana all ahutis were to be offered with all the fingers. Hārita quoted in the Smṛti-Candrikā[276] states that mārjana, offering bali, worship and eating should be done with the tips of fingers. The plate or vessel may be kept on the ground at śrāddh dinner and the thumb and the next two fingers of the left hand may be used for holding the plate or plaintain leaf in position but if the house appears to have been filled with people and if it seems that dust may have raised by their feet or by their clothes, then a person taking his meal may raise his plate from the ground with his left hand after he takes five morsels. No sound of eating should come out. The eater, Vasiṣtha[277] and Baudhāyana[278] say, requires to put each morsel in his mouth with all the fingers including the thumb. He may not be allowed to waive his hand. According to the Bhavisya Purāṇa quoted in Smṛti Candrikā[279] and Āhnikaprakāśa[280] it has been stated that as āhutis should be offered some portions of food of the plate or dish from the west towards the east to Dharmarāja i.e., Yama, Citra Gupta and pretas. Others appear to have said that these balis may be offered to bhupati, bhuvanapati and bhutanampati while in modern times they may be deemed to have offered to Citra, Citragupta, Yama, Yamadūta and some seen to have added "Sarvebhyo bhūtebhyaḥ Svāhā". He should then sip a little water with the words 'thou art the seat of ambrosia'. Yājñvalkya[281] calls this

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276 p. 226.
277 XII. 19-20.
278 II. 8.19. 5-6.
279 p. 224.
280 p. 465.
281 I. 106.

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'sipping of water' āposāna i.e., taking in of water and its purpose seems to make food beneficial like amṛta (nectar). He then requires to offer five morsels on which ghee should be sprinkled to the five modes of Prāṇa preceeded by the word 'Om' and followed by Svāhā. These five prāṇāhutis appear to have been mentioned by the Chāndogya Upaniṣad[282] where classification of prāṇas has been referred to as prāṇa, vyāna, apāna, samāna and udāna.

Various rules however may be found in the Viṣṇu Purāṇa[283] and Brahmapurāṇa quoted in the Gṛhastharatnākara[284] as to the order in which articles of food may be eaten viz., first-sweet liquid food and then salted and sour and followed by pungent and bitter, the last item should be milk and after that one should not take curds. A householder should always take food mixed with ghee. I-tsing's observation as to the manner of serving food as he notices, does not however tally with what has been prescribed in the Purāṇas. He says that "first one or two pieces of ginger about the size of the thumb are served (to every guests) as well as a spoonful or half of salt on a leaf. Next some gruel made of dried rice and bean soup is served with hot butter sauce as flavouring".[285] Megasthene's description of distributing food does not coincide with I-tsing's, the Greek Ambassador simply refers to the boiled rice which was served first and then on the top of it meat was served.[286] The Chinese travellor does not however appear to have referred to the meat

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282 V. 19-23.

283 III. II. 83-84.

284 p. 224.

285 N.K.Sastri, Foreign Notices of Southern India, p. 110.

286 Megasth. Frag. 28 = Athenaeus IV. 153D.

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like that of Megasthenes but deals in details the items which were served to the Buddhist guests. I-tsing's description starts first with the serving of ginger about the size of the thumb. From the Buddhist Jātakas and Mahāparinibānasutta we find that the Buddhists divided foods into two categories where food consisting of roots, stalks, leaves flowers and fruits was one of the two categories of food. Ginger may be considered as one of the items of Pañcakhāndaniyas i.e., hard and solid food which was required to be chequed or crunched. In Mahāvagga[287] we find that the monks were allowed to use roots such as turmenic, ginger, orris root, white orris root, garlic etc. as medicines. In Pācittiya[288] we learn that Bhikkus were required to undergo an act of expitation for the destruction of vegetable growth. The vegetable growth propagated from roots however includes ginger amongst others which was probably used as an item of chewed food staff. I-tsing further throws an interesting light on the custom in which hosts were required to perform before distributing the viands to the guests. He observes that 'the host having cleansed his hands and feet (by this time), makes an offering to saints (images of arhats) at the upper end of the row of seats, then he distributes food to the priests. At the lowest end of the row an offering of food is made do the mother, Hariti'.[289] The custom which I-tsing, refers to us may be identified with the baliharana or with Manu's[290] bhutayajña. The offering of food to all animals may sometimes

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287 2.1-3, 2, VI. cf. Sacred Books of the Buddhist, Vol.XIV, Part 4, p.271.

288 XI. 1-2, 1.

289 N.K. Sastri, Foreign Notices of Southern India, p. 110.

290 III. 70, 81-IV.21.

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be called Kāka-bali because crows appear to be the chief devourers of the offerings.[291] The baliharaṇa ceremony is not complete unless itm preceedes another ceremony named Vaiśvadeva according to which, it may be noted, an Indian householder of high caste would not sit down to the mid-day meal unless he performs what may be called the vaiśvadeva ceremony or offering to all the Gods. In reality only certain classes of deities may be intended. It seems curious that the number of the Gods had been held in the RgVeda as 33 while elsewhere[292] the number appears to be 3306 and yet in another source[293] the number seems to be 3339. They may now be popularly said to have grown to 330 millions but any limitation as to number may be opposed to the Brāhmaṇical theory of infinite evolution. Moreover it should be borne in mind that no God in Hindu Pantheon may be eternal except one Brahma the one Self-existent spirit out of which all the gods appear to have evolved and into which they will all be re-absorbed. This vaiśvadeva ceremony may not be deemed to be completed unless it was followed by the performance of another rite called bali-haraṇa.

The Āśvalāyana gṛhya-sūtra[294] appears to have dealt with this rite. The deities to whom bali may be offered appear to be the same deities to whom the devayajna may be offered i.e., to the waters, to herbs and trees, to the house, to the domestic deities, to the deities of the ground, to Indra and Indra's men, to Yama and Yama's men, to Varuṇa

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291 Monier Williams, Brāhmaṇism and Hindūism, p. 421.

292 X. 6.3.

293 III.9.9.

294 I. 2. 3-11.

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and Varuṇa's men, to Soma and Soma's men, to Brahman and Brahman's men in the middle, to the visve-devas, to all day walking beings, to the Rakṣases-towards the north ; Svadhā to the pitṛs (Manes) - with these words he should pour out the remnant of the food to the South, while wearing the sacred thread suspended over the right shoulder. The text further adds that if bali haraṇa appears to have been performed by night then the words 'to all night-walking beings' may be used instead of 'to all day walking beings'. In the Kuśa-Jātaka of the Mahāvastu[295] we find the expression bali which appears to have been used as one of the great sacrifices or rites enjoined by Manu. It consists in throwing the remains of the morning or evening meal into the air, generally at the door of the house, as an offering more particularly to the household deities, but also to the spirits of the wilds. From I-tsing's observation it appears that only the hosts were required to worship items of food before distributing it to the guests but the food-worship infact was meant for worshipping not only the deities but also the spirits of the predecessors and this was done sometimes by both the hosts and the guests.

Gobhila gṛhya-sūtra,[296] Parāśara[297] and other gṛhya-sūtras, Āpastamba[298] and Gautama[299] appear to have differed from the procedure laid down in Āśvalāyana gṛhya-sūtra. Āpastamba[300] suggests that in bhutayajña bali may be offered not into the fire but on the ground which should be wiped with the hand and the place requires

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295 Sacred Books of the Buddhists, Vol.XVIII, p. 401.

296 I. 4. 5-15.

297 II. 9.

298 II. 2.3.15-11.

299 V.10-15.

300 II. 2.3.15.

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to be sprinkled with water and then bali is required to be put down and water may be poured on it thereafter. He[301] further prescribes disapproving the view of others that one should make all includings dogs and cāṇḍālas participators in the food cooked for Vaiśvadeva. Manu[302] says that after performing Vaiśvadeva one should offer balis in all directions to Indra, Yama, Varuṇa, Soma and their followers, a bali to Maruts on the door, to waters, to the trees in mortar and pestle, to Śrī on the top of the house, to Bhadrakāli at the foot of the house, to Bramā and Vāstoṣpati in the midst of the house ; a bali may be thrown up in the sky to Viśve-devas. A bali should be offered to the prosperity of all on the first floor, and all the remaining portion of the food for balis should be offered to manes towards the south. Some hold that bali may be offered on the ground at the top of the bed of the householder and at the other end of the bed. Yājñvalkya[303] calls upon the householder to throw food to dogs, cāṇḍālas and crows on the gound.

These directions to give food even to out casts, dogs and birds were the outcome of the noble sentiments of universal kindliness and charity, the idea that one spirit pervades and illumines the meanest of creatures and birds. The Śāṅkhyāyana-gṛhya-sūtra[304] winds up its vaiśvadeva section with this fine exhortation "let him throw food to dogs, to śvapacas (eaters of dog flesh), to birds on the ground ; let him eat nothing without having cut off a portion (to be offered at a bali) ; let him not eat alone, nor before others (relatives and guests)" since Ṛgveda[305] says 'the fool gets food in vain'.

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301 II. 4.9.5-6.
302 III.87-93.
303 I. 103.
304 II. 14.
305 X. 117.6.

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The Vanaparva of the Mahābhārata[306] says that offering food to dogs, Śvapacas and birds on the ground may be known as Vaiśvadeva which requires to be performed in the morning and evening. The same verse which occurs in the Anuśāsanaparva[307] says that Vaiśvadeva comprises all actions from the offering into fire oblations of food upto the throwing of food to dogs and the like in the morning and the evening.

I-tsing while concluding the description of the items of food draws attention to the last item Tāmbula which was normally served to the guests after the dinner. I-tsing's comments does not however bear scrutiny since after finishing one's meal a person was to chew tāmbula or mukhavāsa.

It appears that in ancient times persons used to smoke also. Certain preparations made with fragrant herbs and mendicaments and not tobacco which was then unknown. Bāṇa describes in the Kādambari[308] that King Śudraka after his mid-day meal took in the smoke of fragrant drugs and then chewed tāmbula. In the ancient gṛhya and dharma sūtras no mention seems to have been made to tāmbula or mukhavāsa (material that will render the breath fragrant). Tāmbula was probably introduced sometime before or about the beginning of the Christian era in South India and then spread northwards.[309] Among the Smṛtis the Saṁvarta[310]

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306 11.59.
307 97.22-23.
308 para 15.
309 Kane, History of Dharmaśāstra, Vol.II, Part II, p. 734.
310 55.

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quoted in Kṛtyaratnākara,[311] Laghu-Hārīta,[312] Laghu-Āśvalāyana (Ānand),[313] Anuśāsana[314] refer to the chewing of Tāmbula after dinner. In the Raghuvaṁśa[315] Kālidāsa describes betel nut plants surrounded by betel creepers. The Kāmasūtra[316] states that a person after performing the brushing of the teeth, consulting a looking glass and pertaking of Tāmbula for rendering his breath fragrant should set about his daily business. In the Bṛhat-Saṃhitā of Varāhamihira[317] the virtues of Tāmbula and its ingredients appear to have been described. Varāhamihira thus prescribes the following properties of Tāmbula. Consumption of betel leaf excites lust, increases the beauty of the body and hastens good fortune, gives fragrance to the mouth, adds strength and destroys a variety of diseases and Phlegm. Excess of betel leaf taken at night may be beneficial and excess of betel nut consumed by day may equally be good and the reverse practice in connection with betel becomes useless. And if betel leaf may be consumed in association with betel nut, Kakkola cloves and nut meg, it intensifies the pleasure due to the satisfaction of lust. In the Kādambari[318] the royal palace has been compared to the house of a dealer in betel leaves (tāmbūlika) in which lavali, cloves, cardamom, kaṅkola appear to have been stored. The Parāśara-Mādhavīya[319] quotes

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311 p. 60.
312 Ānand, 39.
313 I.160-61 and 23.102.
314 Jivānanda, Part I, p. 509.
315 VI.64.
316 I.4.16 ; III, 4.40 ; IV.1.36, and V.2.21 and 24.
317 77. 35-37 and Ch. 76 (Gandhyayukti), p. 941-960.
318 Para 85.
319 Part I, p. 434.

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four verses from Vasiṣṭha (not found in the printed Dharmasūtra) about the cutting off of the two ends of tāmbula leaves before eating them. In the Vratakhaṇḍa of Caturvargacintāmaṇi[320] Hemādri quotes Ratnakośa to the effect that tāmbula means betel leaves, betel nut and chūnam while 'mukhavāsa' includes betel leaves, betel nut and chūnam with Cardamom, Camphor, Kakkola berries, pieces of Copra and mātuṅga. The Nityācārapaddhati[321] quotes verses showing that tāmbula comprised nine ingredients viz., betel nut, betel leaves, chūnam, camphor, cardamom, clove, kaṅkola copra, the mātuluṅga fruit. In modern days pieces of almond, nutmeg fruit and bark thereof, saffron, catechu may be taken and mātuṅga may be omitted. Thus the tāmbula appears to be made up of thirteen ingredients. The Aṣṭāṅgasaṃgraha[322] of Vāgbhaṭa mentions several ingredients of tāmbula including the essence of the bark of Khadira tree (Catechu). In modern times tāmbula may be said to be of thirteen guṇas either because it contains thirteen ingredients or because it effects thirteen good results.

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320 Vol. II, Part I, P. 242.

321 P. 542.

322 I. 3.

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CHAPTER - VI

ADMINISTRATION

The classical authors particularly Megasthenes and Strabo provide us with a complete and fair pictures of the administration prevalent in or around fourth century B.C. although their accounts do not sometimes stand substantiated in detail by actual practise. Their observations give us ample proof to say that the administration possessed highly organised bureaucracy as it seems evident from the list of officials referred to by both Megasthenes and Strabo to be connected with the system of administration. That the administration was a highly organised bureaucracy did not escape the eyes of the Greek writers since the division of duties and the varied number of officials undoubtedly point to the bureaucratic nature of administration.

Megasthenes[1] has named various officials who used to participate in the direct administration of the country. According to him such officers were of three kinds namely, Agronomic, Astynomoi and member of the war office. He goes on describing the duties of the officers connected with the administration and observes "some have charge of the market, others of the city, others of the soldiers". Megasthenes further divides the duties of the market officer who were required to superintendent the rivers, measure the land, inspect the

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1 Megasth. Fragm. XXXIV. Cf. M.C. Crindle, Ancient India as described by Megasthenes and Arrian, p. 86.

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sluices by which water may be allowed to be let out from the main canals into the branches so that every one may have equal share of it". Besides these officers in charge of land and irrigation Megasthenes also mentions those in charge of Agriculture, Forestry, Timber works, Metal Foundries, Mines and Roads. "The same persons have charge also of the huntsmen and are entrusted with the power of rewarding or punishing them according to their deserts. They are required to collect taxes and superintendent the occupations connected with the land as those of the wood cutters, the carpenters, the blacksmits. They construct roads and at every tend stadia set up a pillar to show the by roads and distances". The second kind connected with the town administration were divided into six boards. Each board was supposed to be composed of five men. Their respective functions which Megasthenes has enumerated were : (1) Supervision of factories particularly relating to the industrial (2) arts. The members belonging to the second department were required to entertain strangers including control of the inns, provision of assistants, taking charge of sick persons, burying the dead (3) the registration of births and deaths (4) the control of the market including inspection of weights and measures (5) the inspection of manufactured goods. The market officials were required to make provision for their sale with accurate distinction of new and second hand articles. (6) They were also required to collect the tax of ten percent charged on sales. Such were the functions which these bodies were required to discharge separately. In their collective capacity they were supposed to discharge both of their special departments and also of matters affecting the general interest such as keeping of public buildings in proper repair, the regulation of prices, the care of markets, harbours and temples. The third

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kind of officials constituted the war office and were also divided into six Boards of five each. These Boards were as follows : (1) the admiralty (2) transport and commissariat (3) the infantry (4) the Cavalry (5) the chariots (6) the elephants. The Royal stables for horses and elephants and the royal arsenol were connected with the army. A soldier's weapons and horse were not his own property but it was the property of the king and they went back to the arsenol and the royal stables at the end of a campaign.

The names of the officers along with their duties prescribed by Megasthenes under market administration may probably be identified with the officials meant to discharge duties for the district administration.

Strabo[2] like Megasthenes has supplied us with the list of officials connected with the market and city administration or in other words Strabo's market commissioners and city Commissioner may be said to be the same officers enumerated by Megasthenes for the district and city administration. It seems that neither Indian texts nor Kauṭilya's Arthaśāstra have indicated the exact nature of composition of the district administration. Kauṭilya in his Arthaśāstra[3] however says that in the kingdom group of villages should be set up with a chief town having a fort in each, a group of ten villages being called a Saṅgrahana, of two hundred villages being called Khārvaṭika, of four hundred villages called Droṇamukha and in the midst of eight hundred villages there exists the

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2 R.C. Majumdar, Classical Accounts of India, p. 268.

3 II. I.

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Sthānīya. If any comparison could be made the Sthānīya and the droṇamukha officers were respectively the Viceroys and provincial Governors while those at Khārvaṭika and Saṅgrahana were district officers. It may be probable that a district would be constituted of a few villages which were the lowest units of administration. In fact the administration of villages would be the same as in the districts and also in the towns. For the purposes of administration every city was required to be divided into four parts over each of which was placed a Sthānīka. The Sthānīka was then responsible for his ward. He was entrusted with the large police powers. Manu[4] observes that in the midst of two or five villages, the king should place a central post of guards called 'gulma' and another called 'Saṅgraha' in the midst of hundred villages. Manu,[5] Viṣṇu,[6] Śāntiparva,[7] Agnipurāṇa,[8] Viṣṇudharmottara[9] and Mānasollāsa[10] require that the king should appoint a hierarchy of officers for groups of ten, twenty, hundred and even of thousand villages and such officers were supposed to report to the officer next in grade about the things going on within their jurisdiction when they failed to solve the problem. Manu[11] further prescribes that a minister of the king should supervise the doings and conflicts of all these officers. The Edicts of Aśoka show that he had to employ a hierarchy of officers such as mahāmātras, the Yuktas and Rājukas for the administration of his vast empire. A similar administrative system seems to have been continued under the

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4 VII.114.
5 VII. 115-117.
6 III. 7-14.
7 87. 3 ff.
8 223. 1-4.
9 II. 61. 1-6.
10 II.2. 159-162 (p.43).
11 VII. 120.

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Gupta Emperors. Either the Governors or the Emperors used to appoint district officers who were often called Kumārāmātya. The district officers were aided by a board of four advisers called nagara-śreṣṭhin (Banker), Sārthavāha (the chief craft guilds) and Prathamakulika (chief of craft guilds) prathamakāyastha (Chief Secretary). The district officer had his head quarters in a place called adhiṣṭhāna and had his offices or courts (adhikaraṇas). With regard to disposition of land revenue, pustapālas (keeper of records of rights) were consulted and had to be reported to.

The Samāhartṛ whom Kauṭilya refers to be the Collector General was to exercise superintendence over the collection of revenue from forts, the rural parts, mines etc. The Samāhartṛ would divide the kingdom into four districts and would also arrange the villages into three grades, viz. those which had been exempted from taxes, those that supply soldiers and those that pay taxes in the form of grain cattle, money, forest produce, and other equivalents.

Kauṭilya in his Arthaśāstra states that in the rural parts there was an officer who went by the name Gopa.[12] He was appointed by the Central Government and was supposed to take charge over a small area ranging from five to ten villages. He was responsible for the incidents which might happen within his jurisdiction and also required to maintain a register which was used to keep a record of the total number of inhabitants of all varnas in the houses indicating the payer and non-payer of taxes. He was also required to keep another register of the number of

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12 Bk. II. Ch. 35.

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cultivators, cowherds, artisans, labourers, slaves, biped and quadruped animals, of the amount of money, free labour, tolls and fines recovered and also the number of women, men, young and old persons and the extent of their occupations. It was also his duty to maintain a statistical record of the inmates of the households with their respective castes, gotra, names, their professions, income and expenditure. He was like a small census officer. It may be reasonable to assume that a number of Gopas were under a Sthānika, for each Gopa was entrusted with about forty households. The managers of religious houses and charitable institutions were required to send reports to the Gopa or the Sthānika as regards the movement of heretics (Pāsaṇḍa) and strangers. They further entertained ascetics and srotriyas of pure character. Artisans, merchants and other gṛhasthas were required to report to them of their movements as well as the movement of those of their friends who were strangers to the city. The sentinels and watchmen were also held responsible to some extent for such information. They also sent their reports to the Gopa or through him to the Sthānika who ultimately reported to the nāgaraka.[13] Yājñvalkya[14] has mention of an officer called Sthānapāla in connection with the finding of lost goods and who appears to be the same as Sthānika. Manu[15] and Śāntiparva[16] of the Mahābhārata also seem to have provided for the appointment in each city of a higher officer who was required to superintendent all matters affecting the city and who had ample powers of restrainting and coercion. Many of the Superintendents mentioned by Kauṭilya occur under the same names in the Kāmasūtra e.g. gavādhyakṣa, Sūtrādhyakṣa, nāgaraka about whom commentators refers to us as daṇḍapāśika.[17]

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13 Book II, Ch. 36.
14 II. 173.
15 VII. 121.
16 87.10.
17 Kane, History of Dharmaśāstra, Vol.III, p. 150.

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For the purpose of administration the provinces were divided into districts and these again into villages. The term for a district seems to have been āhāla (Sanskrit āhāra) and occurs in the Rupnāth and the Sārnāth[18] Edicts of Aśoka.

There seems to have reference to a district of Isila[19] which was probably under the supervisory control of the Viceroy at Suvarṇagiri. For, the king's orders were not directly communicated to the district officer at Isila, but through the officials at the head quarters of the Suvarṇagiri province.[20] The next administrative unit was the grāma or village or group of villages which formed the political unit. That these were also under some sort of control of the district officials appears to have been borne out by an important record, viz., the Sohāghaura Copper plate inscription the interpretation of which remained unsettled for a long time.[21] This inscription which appears to have belonged to the period of Aśoka in which was contained an order given to the village of Mānavāsitikṛtaśrīmanta and usgrāma by the mahāmātras of Srāvasti which was a district. Though we are not concerned with the object of the grant still it may be noted that it was an order to the respective villages to put up to two temporary storehouses on the road with full provisions. Thus we learn how local government was carried on during the epoch of the Mauryas. The word grama occurs in a hymn of the RgVeda[22] in which the hymniat offers his praise and prayer

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18 Corpus Introduction, p. 166.

19 Ibid., pp. 175 and 178.

20 Ibid., pp. 175-179.

21 Annals of the Bhandarkar Research Institute, Vol. XI, Pt.I, pp.32-48 and also Journal of the Royal Asiatic Society, 1907, p. 523 ff.

22 I. 114.1.

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to Rudra so that all bipeds and quardrupeds might fare well and all beings in the village might be free from disease and might enjoy prosperity. In another passage of the text[23] heroes have been found conquering grāmas. The text[24] further speaks of the gramani who has been endowed with 'dakṣinā (cows or wealth) walks in front of the village people'. According to Taittirīya Samhitā,[25] prosperous were those, who were learned Brāhmaṇa, the village headman (Grāmanī) and the Rājanya. In the Śatapatha Brāhmaṇa[26] the grāmanī appears to be stronger than his co-sharer Sajāta.[27] According to the Śatapatha Brāhmaṇa[28] besides the king enumerated as eleven 'ratnas' (jewels) or 'ratnins', Sūtagrāmanī was one. Grāma did not necessarily mean a village but might also would apply to a town but not a capital. Manu[28] and Kauṭilya[29] in his Arthaśāstra have called the head of village as grāmanī. The Śukranīti-sāra[30] states that there were to be six officers in a village and prescribes their castes. The head man was to be alert in protecting the villagers like their parents from thieves, robbers and from the state officers, the bhāgahāra was required to devote special care to the tending of trees, the lekhaka was to be skilled in accounting and proficient in several spoken languages, the pratihāra was to be of strong body, proficient in handling arms, humble and to call the villagers with respect due to each and the toll gate was to levy tolls in such a way that sellers did not incur loss of capital spent by them. From Kauṭilya[31]

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23 V.54.8.
24 X.107.5.
25 II.5.4.4.
26 V.4.4.19.
27 S.B.E. Vol.41, p.111.
28 VII.115-116.
29 III.10.
30 II.120-21.
31 III.10.

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it appears that the village headman had the right to impose fines in certain cases e.g. when the headman (grāmika) had to travel on some business, the villagers were supposed to accompany him by turn but if they failed to do so, they had to pay a fine of one paṇa or half paṇa. Similarly if a villager does not co-operate in getting up of a show (prekṣā) in the village, he or his people would not be allowed to see the show and he was to be fined if he clandestinely sat it. From Kauṭilya[32] we learn further that the village headman had the right of assigning lands to the villagers and took to the payment of land revenue. He was further required to see the proper cultivation of the fields failing which the occupier of the field might be replaced by the village servants. In consultation with the elders, and the village panchāyat he would also decide all questions relating to the customary rights and duties of the village barber, washerman, potter, blacksmith and so on. We are told by Kauṭilya[33] and Manu[34] that the important official known as Samāhartṛ dealt with the whole income of the Royal domains. The main heads appear to be as follows : (1) the proportion of the produce of the land which in India accrues from time immemorial to the kings in lieu of rent (2) Manu[35] also says that the minor dues and cesses connected with the land may be realised by the collector general. The normal proportion of tax would be one sixth. But one fourth appears to have been mentioned by Megasthenes[36] in addition to rent which could

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32 19, p. 47.
33 24 and 54.
34 VII.60.
35 VII. 127.
36 I. 46.

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only be realised in case of emergency. (3) Special income was derived from irrigated land and also from pastures, forests, mines and other works. (4) Customs were collected at the frontiers, the transport dues at ferries etc., the road dues and tolls, and octroi at the city gates, and profits from coinage and various projects occurred from transactions and sale. (5) Kauṭilya[37] and Manu[38] further prescribe that the fees exacted as licenses from workmen, craftsmen, traders and professionals, gaining houses and passports may be realised by the aforesaid official. The same texts[39] state that the fines derived from the law courts and also from ownerless property should be dealt with by the Samahatr and special taxes and tithes realised for religious objects. The various functions of the district officials which Megasthenes appears to have enumerated have resemblances with the duties specified for the different superintendents mentioned by Kauṭilya in his Arthaśāstra. The latter mentions superintendent of commerce of forest produce, weights and measures and tolls etc., who was connected with the market. He further refers to other officials namely lohadhyakṣa, laksanādhyakṣa, ākarādhyakṣa. All these would indicate the economic functions of the state as known to Kauṭilya,[40] who further states "He (the king) shall carry on mining operations and manufactures, exploit timber and elephant forests, offer facilities for cattle breeding and commerce, construct roads for traffic both by land and water, and set up market towns".

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37 52.

38 VII. 137-8.

39 Arthaśāstra, 60 and Manu, VIII.30-8.

40 Bk.II, Ch. 16.

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Kauṭilya[41] further prescribed that the king should also construct reservoirs (Setu) filled with water either perennial or drawn from other source of he may provide sites, roads timber and other necessary things to those who construct reservoirs of their own accord. The term 'Setu' means reservoir but it seems to be a waterway by which water may be supposed to be regulated. Again the superintendent of rivers had been known as the nadipāla as mentioned by Kauṭilya.[42]

The question whether measurement of lands in general was in vogue may be traced from Kauṭilya's[43] Arthaśāstra where he wrote a chapter entitled 'measurement of space and time'. The technical expressions which occur in connection with the measurement of space may be noted in this connection. 'One hasta used in measuring pasture lands and timber forests, one kiṣku used in measuring the camping grounds as well as forests and palaces, one gārhaspatya dhanus for measuring roads and fort walls, one danda for measuring brahmadeya lands'. It may be probable that officials were required to measure these various lands and places. It may be noted as a significant fact that Kauṭilya[44] has used the terms rajjus and corarajjus translated as 'ropes' and ropes to bind thieves. The term rājuka occures in Kauṭilya's[45] Arthaśāstra with a prefix cora and the full designation of the officials appear to be corarajjuka. It may be probable that the designation rajjuka would be the more correct technical term and not rājuka. It does not appear to be very much clear from what root the word has derived its present form.

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41 Bk.II, Ch.1, Translation, p. 50.

42 Bk.II, Ch.6.

43 Bk.II, Ch.20.

44 Bk.II, Ch.6.

45 Book IV. Ch.13.

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Perhaps it comes from the old root rasj or rajj.[46] The Jātakas or early Buddhist literature appear to have contained similar expressions like rajjuka or rajjugrāhaka, while the Aśokan inscriptions mention lajuka or rajuka. These, no doubt, denoted the officials who were engaged in the measurement of land. The Arthaśāstra composed after the jātakas according to Buhler and generally placed (in the fifth and sixth) centuries B.C.[47] contains similar expressions and these terms might, therefore, have referred to some officials engaged in measuring the land. Hence the term rajjus may mean those officials engaged in the survey of lands by means of the rajju measurement. As regards the supervisor of hunters, of wood cutters, etc., it may be reasonable to presume that the Superintendent of Pasture of Meadows (Vivītādhyakṣa) was in charge. And again he was the Superintendent of Passports according to Kauṭilya.[48] He was required to secure safety with the help of hunters to country parts and protect timber and elephant forests, keep roads in good repair and assist the mercantile people. In addition to these functions, they were expected to levy and collect taxes on behalf of the state or there might have been separate revenue officials under the direction and control of the Samāhatṛ. Megasthenes probably had not been fully informed about the duties of each and every official, complicated as the machinery was.

In regard to the administration of the city, Megasthenes, the ambassador of Seleukos, has given us elaborate details.

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46 Dikshitar, The Mauryan Polity, p. 216.

47 Ibid., p. 366.

48 BK. II, Ch. 34.

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According to his testimony the city of Pāṭaliputra was governed by thirty Municipal Commissioners who formed themselves into six committees of five each. These committees were required to look after the moral and material affairs of the city. Of the functions assigned to these Megasthenes enumerates.[49]

"The members of the first look after everything relating to the industrial arts.

Those of the second attend to the entertainment of foreigners. To those they assign lodging and they keep watch over the modes of life of such foreigners through persons who are given to them for assistance. They escort them on the way when they leave the country or in the event of their death, forward their property to their relatives. They take care of the foreigners when they would have fallen sick and if they die, the officials were required to get them buried".

"The third body consists of those who inquire when and how births and deaths occur with the view not only of levying a tax but also in order that births and deaths among both high and low may not escape the cognizance of the Government. The fourth class superintends trade and commerce. Its members have charge of weights and measures and see that the products in their season are sold by public. No one is allowed to deal in more than one kind of commodity unless he pays a double tax".

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49 Frag. 34.

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The fifth class supervises manufactured articles which were required to be sold by public notice. The newly made ones are to be sold separately from the old and a fine may be imposed for mixing the two together.

"The sixth and the last class consists of those who were required to collect the tenth of the prices of articles of food. Fraud in payment of this tax is punished with death".

These committees with their duties have been mentioned by Strabo[50] and Diodorus.[51] Besides the special functions allotted to each one of these six bodies, all of them in their collective capacity interested themselves in matters of general interest, such as, the up keep and repair of public buildings, regulation of prices, care of markets, harbours and temples.[52] Description of the municipal administration may be compared to the Paura organisation. Strabo,[53] after giving a description of Pāṭaliputra, gives an account of its administration. The most important element to be marked in this connection were 'the city Magistrates' who according to the Greeks would signify popular officers and not officers appointed by the king. The royal officer, governor of the city, the Nāgaraka as described in the Arthaśāstra seems to be distinct. These 'City Magistrates' had six boards of five members each.

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50 51.
51 II.
52 Meghasth. Frag. XXXIV.
53 Bk. XV. 50 (4-10).

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The city magistrates of Strabo may probably be identified with the Paura-mukhyas or the Paura-Vṛddhas known as the board ofnthe elders of the city appointed to help the governor of the capital nāgaraka in administration. The boards of five and the full board of the thirty disclose the same arrangement as the quorums of the three, five, ten, twenty and the Pañchaka, daśaka and viṃśaka saṃghas of Patañjali.[54] Bṛhaspati[55] also enjoys committees of five in corporate associations. In the Mahāvagga[56] it appears that in a Buddhist Saṃgha, certain matters could be discussed by small quorums ; but matters of greater importance could be discussed and decided by Quorums of twenty and upwards only. In the Paura of Pāṭaliputra the council decides matters of greater interest by the bigger quorum. This collective council of the 'City Magistrates' corresponds to what the Rāmāyaṇa calls 'Inner Body of the Paura'. The outer, the general body might have been composed of a fairly large number, when the Inner alone had thirty members.

Grāma or Township may be called a Vargin. Varga means an assembly or quorum. In that sense Pāṇini[57] also uses it. Other Corporatte associations may be called Vargins. Bhṛgu in a law text quoted by Mitramiśra[58] indicates that Paura and Grāma as well as gaṇa may be called Vargins.[59]

In the Mahābhāsya[60] we have a reference to the vargas of Vāsudeva and Akrūra. Gautama[61] in his Dharmaśāstra seems to have enjoyed the expression varga in the corporate sense. "The laws of the cultivators,

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54 Patañjali on Pāṇini, V.1. 58 and 59.
55 Vīramitrodayo, p. 427. 56 IX.4.1 and IX.3.5.
57 V.1.60 58 Vīramitrodayo, p. 11.
59 Kātyāyana quoted by Nilakaṇṭha. 60 IV.2.2. 61 XI.20-21.

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merchants, cattle breeders, bankers and artisans should be authority in their own corporations". It should be noted that cultivators had their own unions in the days of Gautama.

Mitramiśra[62] seems to have indicated that the Paura or capital had the association of the City Merchants which was called the Naigama. Yājñvalkaya and Nārada quoted in vīramitradaya[63] put Naigama in the list of corporate bodies. This name was exclusively employed to the Guild of the city merchants. It would be wrong to take the expression Naigama as a general term for Guild Merchants. The general term seems to have been śreni as well as Pūga. Now it appears that originally the Naigama of the capital was the mother of the Paura association. In the Kūṭadanta Sutta and the Dīghanīkāya[64] naigama (Negama) stands for Paura. Modern translators appear to have translated it as "town". It really refers to the town or capital. Later Commentators on law books seem to have equated Naigama with Paura.[65] In Pāli books Naigama comes with Jānapada as in Sanskrit books Paura comes with Jānapada. The connection between the City Guild of Merchants and the City Corporation was so intimate that both came to be regarded as identical. This means to be the reason why the mercantile interest appears to have been predominent in the Paura. In the Yuddha-Kāṇḍa of the Rāmāyaṇa[66] we have a reference to the Naigama which had been acting always along with the Paura.

The duties of the Committees referred to by Megasthenes and Strabo have resemblances with what has been prescribed by Kauṭilya in his Arthaśāstra for town administration. The first committee interested itself

62 Vīramitrodaya, p. 120. 63 P.179 and 180. 64 Para 12.
65 Chandeśvara, VR., pp. 177, 180.
66 127.16.

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in the promotion of industrial arts. The Arthaśāstra in more than one place refers to the work of artists and artisans. They were expected to work for a day in a fortnight for the king. This enabled them to commute their payment to the state into their manual labour.[67] It may be noted that Kauṭilya specially writes a chapter[68] containing regulations for affording protection to artisans. It seems that the Arthaśāstra prescribes certain rules for the artisans who should carry on their business according to the engagement in respect of time, place and nature of work.

In regard to the regulations affecting foreigners to which the Greek ambassador has referred, we find numerous passages where Kauṭilya asks the officers of the state to show favour to them. The Superintendent of ships was specially required to be concerned about the beaten ships, the Superintendent of commerce was also required to attend to those who dealt with the foreign merchandise.[69] Kauṭilya recommends that foreign traders should be inerted to settle in the country with a view to foster the trade of the land. These merchants enjoyed certain privileges and could move about freely. The citizens were to make a report about the strangers residing with them or leaving the station.[70] The boundary guards or antapālas were to collect what may be known as the road cess (vartani) and they were held responsible for the loss incurred by merchants in the part of the country under their charge. Thus adequate attention was paid to the safety and security of merchants, travellers, foreigners and others.[71]

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67 Book II, Ch. 2 and 36.
68 Ibid., IV. Ch. 1.
69 Book II, Ch. 16 and 28.
70 Bk. II, Ch. 36.
71 Bk. II, Ch. 21.

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Megasthenes next speaks of census operations. From the Arthasastra we gather that the census department under the Mauryas had been a permanent body composed of permanent officials. The statistical information collected by them served both political and economic interests. Such information furnished the total population of a certain village or town at a particular period, the division being made according to the castes and their professions.

The fourth board was that of trade and commerce. The Arthasastra asks the city merchants to entertain strangers on their own responsibility and make a report of the merchants who deal in forbidden articles of merchandise and who sell them in any place or time without due regard for the traders or the authorities of the city. Ordinarily merchants were required to deal in their own merchandise and not in those which belonged to others. Perhaps to deal in them required a special license which Megasthenes probably calls a double tax.[72] Even the slightest difference would not be tolerated. Sale by public notice was exactly what the author of the Arthasastra has recommended. The tax on sales was one of the sources of revenue and hence the control of sale was under the Board of Trade. Each articles offered for sale being marked with the official stamp.[73]

The fifth board concerned itself with the control of manufactured articles. Here also the same regulations were in practice. Perhaps reference here is to the manufacturers run by the Department of state in its factories. Kautilya seems to be very particular in regard to the purity and good quality of the articles sold. A distinction appears to

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72 Bk. II, Ch. 36, Ch. 16, 19 and Bk. IV, Ch.2.

73 Abhijñānamudra, Ibid.

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have been made between old commodities in stock and fresh supplies.[74] If articles, inferior in quality, were sold as good ones, the sellers were liable to heavy fine.[75] The sixth Board attended to the collection of revenues on sales of merchandise. According to the Arthaśāstra the Superintendent of Tolls was generally the officer who was engaged in such business. The rate mentioned by Megasthenes as one tenth might have been a conventional one like the one sixth of land revenue. In practice, however, the rates varied according to the quantity and quality of the articles, depending on their easy availability, necessity or otherwise. Flowers and fruits which were luxuries were taxed one sixth while the taxes for cotton cloths, arsenic, metals, sandal, raw materials carpets and woolen goods were supposed to have varied from one tenth to one twentieth or even one twenty-fifth for articles of absolute necessity such as cattle, cotton, medicine, fibres, skins, clay pots, oil, sugar, salt etc.[76]

State Museum Library Lucknow (7224)

Megasthenes draws our attention, while speaking of the district and Municipal administration, to the third governing body which according to him directs military affairs "This also consists of six divisions with five members each. One division is appointed to co-operate with the admiral of the fleet, another with the Superintendent of the bullock-trains which are used for transporting engines of war, food for the soldiers, provender for the cattle, and other military requisities. They supply servants who beat the drum, and others who carry gongs ; also grooms for the horses, and mechanists and their assistants. To the sound of the gong they send one foragers to bring in grass and by a system of

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74 Bk. II, Ch. 15.

75 Bk. IV, Ch. 11.

76 Bk. II, Ch. 22.

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rewards and punishments ensure the work being done with despatch and safety. The third division has charge of the foot soldiers, the fourth of the horses, the fifth of the war chariots, and the sixth of the elephants. There are royal stables for the horses and elephants, and also a royal magazine for the arms, because the soldiers have to return their arms to the magazine, and the horses and elephants to the stables. They use the elephants without bridles. The chariots are drawn, on the march by oxen, but the horses are led along by a halter, so that their legs may not be galled and inflamed, nor their spirits damped by drawing chariots. In addition to the Charioteer, there were two fighting men who set up in the chariot beside him. The war elephant carries four, three of whom shoot arrows, and the driver.[77]

Kauṭilya[78] in his Arthaśāstra, the Kāmasutra,[79] Agnipurāṇa[80] and Mānasollāsa[81] agree in saying that troops may be of six kinds viz. maula (hereditary), bhṛta (hired troops), Śreni (guild troops), mitra (troops of an ally or friendly power or feudatories), amitra (troops that once belonged to the enemy), aṭavi or aṭavika (wild tribes as troops). The first three texts say that each variety of troops may be superior to next. Maula troops correspond to the modern standing army, since Kauṭilya prefers them on the ground that they depend on the king for maintenance and may be subjected to constant drilling. The Maula troops were probably composed of persons whose ancestors enjoyed tax free lands in lieu of military service. The Sabhāparva of the Mahābhārata[82] appears to have referred to four kinds of troops omitting Śreni and amitra varieties while the Yuddha kāṇḍa[83]

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77 Fragm. XXVII.
78 IX.2 (first sentence).
79 XVIII.4.
80 242.1-2.
81 II.6, Verse 556, p. 76.
82 5.63.
83 17.24.

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of the Rāmayāṇa refers to the composition of troops by five omitting srini. The Āśrama Vāsikaparva[84] names five kinds of troops and have excluded amitra and states that maula and mitra armies may be superior to the rest and hired troops and śreni troops may be regarded as equal. In the grant Dhruvasena I of Valabhi issued in the Valabhi year 206 states that the division of troops into various kinds was in vogue in the army.

Many scholars hold that troops composed of Brāhmaṇas, Kṣatriyas, Vaiśyas and Śūdras may be regarded as superior for enlistment in the order of the castes. Kauṭilya's[85] observation seems to be somewhat different. He says that an army composed of Kṣatriyas, well trained in the weilding of arms or any Vaiśyas and Śūdras having greater numerical strength seems to be better than an army composed of Brāhmaṇa soldiers since the latter might easily be won over by any army by prostrating themselves before them. In the Udyoga parva of the Mahābhārata* it is told that King Dambhodbhava asked every morning whether there was any Śūdra, Vaiśya, Kṣatriya or Brāhmaṇa equal or superor to him in armed conflict. That shows that soldiers of castes other than Kṣatriyas were not unheard of it in the Epic age. Megasthenes's observation about the six fold division of the army does not tally with what has been prescribed in Indian texts. Hieun Tsang seems to be right when he classifies the army and says that it had four divisions such as, foot, horse, chariot and elephant. An army was said to be of four parts, viz. elephants, horses, chariots and foot soldiers (caturaṅga bala). The Kāmasūtra[86] says that bala may be six fold, viz. the four sections of

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84 7.7-8.

85 IX.2.

86 XVIII.

* 96.7 (cr. ed.) Chap. 94).

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infantry, cavalry, chariots and elephants together with mantra (line of policy) and Kośa. In the Mudrā-Rākṣasa[87] we get identical division of the army, its being constituted of four parts, elephants, cavalry, chariots and infantry. Of these, however, the first two seem to have been more highly valued than others. These, together with territory and treasure formed the strength of the army. The Śāntiparva[88] of the Mahābhārata states that the army should have six aṅgas i.e. the well known four divisions plus kosa and roads for traffic.

The Epic proper however has no definite terminology for divisions of the army. The same force appear to have been indicated by different names. Certain appellations denote sometimes relatively large force ; certain others relatively smaller ones. Any of the names, usually indicative of a large division may stand for the whole army, without any distinction. The only formal division of the army recognised seems to have been the well known four-fold division ; not a quantitative but a qualitative distinction. The four fold array, every where alluded to as such in the early epic consists of an army divided into four groups, footmen, horse, chariot and elephant. The Śāntiparva of the Mahābhārata[89] however provides us with some more important information about additional groups in addition to the commonly recognised four-fold division of the army. It prescribes eight elements of the army in addition to the well known four among which viṣṭi i.e, the labourers or porters who were supposed to render free labour and were only fed but not paid any wages, and boats, spikes and guides (deśika) were the foremost. Kauṭilya gives

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87 II. 13-14 and IV. 16-17 ; VII. 15.

88 103.38.

89 59.41-42 ; 121.44.

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further elaborate information regarding the classification of the army as a whole. Besides the standing army (maula) to which Diodorus[90] has referred, the fighting personnel consisted of hired men called bhṛtakas, contingents supplied by corporate associations śrenibala, contingents supported by the ally mitrabala, and the members of the forest tribes āṭavibala. From the nature of the recruitment and from the significant statement of Kauṭilya, hrasvaḥ pravāsah it can be safely assumed that this part of the army was engaged only for the time being and once it service were not required it was disbanded. In the Mahābhārata elephants do not appear to have played an important role except in rare cases while chariots and other arms of an army have been referred to everywhere. The term, Hastin though it denotes in the RgVeda[91] an elephant yet there exists no trace of its use in war.[92] It seems that when the Indian Kings were convinced of the animal's strength and virility the elephants were included in the four division of army. Prof. Visvanath[93] holds that elephants were used in battle field, though not so frequently. The elephant was deemed the most important part of the war-machine in ancient India as it could resist the onrush of a number of cavalry and infantry and could kill a large section of the enemy. Foreign invaders felt a sort of terror for the Indian army on account of its elephants. Alexander the Great alone among the foreigner's, through his skill, had tried to remove the fear of his army entertained for elephants by instructing his light-infantry to kill the drivers of the elephants ; the

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90 II.41.
91 I.64.7 ; IV.16.14.
92 Macdonell and Keith, Vedic Index, Vol.II, p. 501.
93 Prof. Visvanath, Racial Synthesis, p. 44.

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legs of the helpless elephants were then hacked with long axes and their trunks cutt off with choppers or curved swords.[94] The elephants were used to bear the burnt of the battle and accounted for a great loss of the enemy. In the Urūbhanga[95] of Bhāsa the elephant appear to have been the armoury of kings.

It may be pointed that even in the days of the epic ; an army was found to have accompanied labourers and porters whose duties probably coincided with what Megasthenes[96] has described as the duty of the Superintendent of bullock carts. The Greek ambassador's statement with regard to Candra Gupta's strength of the different branches of his army corroborated by Pliny[97] and Plutarch[98] might have also included those men who were not-actual soldiers but facilitating the movement of the army. From the Udyoga[99] parva of the Mahābhārata it also known that markets, prostitutes, conveyances, oxen, machines, arms and physicians accompanied the army and that the camp (Senānī-vesa or Skandhāvāra) of Duryodhana looked like the capital itself and was five miles in extent.[100] Kauṭilya also informs that physicians with surgical instruments, blunt instruments like tweezers, medicines, curative oils and bandages in their hands for the treatment of the wounded personnel including sick and injured sappers, miners and engineers (Vardhaki and Vaṣṭi) who were supposed to be under the command of an official designated Prasāta whose duty was to answer to the Superintendent of bullock[101] trains of Megasthenes. We are further told by Kauṭilya that an army should have

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94 Vaidya, Epic India, p. 220.

95 Urū Śloke 8. 96 Fragm. Megasth. XXXIV. 97 VI.19.

98 Alex., Ch. 62 (9,000 elephants, 30,000 horses and 60,000 footmen besides chariots).

99 151.58 (cr.ed.) 149.53, 195.12-19 (cr.ed.) 196,12-19.

100 14.X.3. 101 Book X, Ch. 3.

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physicians of four types such as physicians with surgical instruments (Śastra), mechanical appliances (Yantra), healing balm (Sneha), dressing cloth (Vastra) and nurses (Striyaḥ). The women nurses were required to look after food and drink of the army and were required to stand behind the soldiers uttering encouraging words. The Śāntiparva[102] suggests the same thing as the Arthaśāstra. The Bhīṣmaparva* also states that physicians well versed in extracting splinters or arrow heads from the body of the wounded personnel approached with their surgical instruments to extract the darts from Bhīṣma's body. That an army should be accompanied by physicians seems to be evident from the expedition of Alexander[103] when he had been wounded while seizing the fort of Śudracae. Kritodemos who was a physician in the army of the Greeks, extracted the arrow from the body of Alexander after much hesitation. Kauṭilya further explains the duties of the labourers (viṣṭi) who were under an official designated Prasāśta were required to move in advance of the army to examine the camp, roads, bridges, wells and river ghats and to carry machines, weapons, armour, and utensils. In addition to these duties they were supposed to raise or demolish fortifications whenever required. They were engaged also for removing the wounded men along with their weapons and armour from the battle field.

The Bhīṣmaparva[104] further suggests the mode through which a commander and other personnel may be distinguished and prescribes distinguishing device as his banner.

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102 95, 12 cf. Dikshitar, The Mauryan Polity, p. 187.

103 Chapter XI. Cf. Mc.Crindle Ancient India its invassion by Alexander the Great, P. 149.

104 VI. 17.18.

*. 120.55

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Hieun Tsang[105] further describes that "the war elephant is required to be covered with coat-of-mail and his tusks are provided with sharp-barbes". Megasthenes does not however mention particularly elephant's dress. He simply refers to us that the elephants were used in war without briddles. These mountaineous beasts[106] were generally armed with spikes and iron harness. They were required to wear Kakṣyā or girth on the middle of the body and carry flags, vaijayantī, emblems, hooks, quivers, guards, neckchain, bells, wreaths, nets, umbrellas and possibly had rings round the feet.[107] The Kaṅkana or foot rings appears to be kiṅkaṇī which was used as a bhusaṇḍa. The coverings as in the cases of horses go by various names, Kambala, astara which were supposed to be made of wool or goat hair. The coloured woolen blankets kuthā were also common.[108] Paristoma may be a bolstar which has been found with the coverings on carriages and elephants.

In the Mahābhārata, the elephants were looked upon not as an independent array but as adjuncts to the chariots, ten or fifty about each car. Here we find that seven men were supposed to have attended each elephant, two leading it by hooks, and the other two carrying swords and one carrying a spear and club. Accordingly the same text, the distinction of horse riders was thus : if each war car had ten elephants, then each elephant had ten horse riders and each horse rider in turn had a guard of ten foot men, pādarakṣāh ; if each car had fifty elephants, then each elephant had one hundred horsemen and each horseman had seven foot men. The Agni purāṇa[109] gives only fifteen footmen.

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105 Watters, Travels on Yuan Chwang's, Vol.I, p. 171.
106 VII. 85.4.
107 VII. 36.34.
108 VI. 57. 26.
109 V.155.16 ff.

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Three bowmen were on an elephant seems to have quoted by Megasthenes.[110] Strabo[111] and Aelian[112] observe that three archers besides the māhut or driver rode an elephant. The Matsya Purāṇa[113] appears to have prescribed 8000 chariots, 1000 elephants, 60,000 horses.

The tottra, prod and aṅkusa, hook were used to urge and direct the beast. The expression Kaṅkaṭa might have been used as a breast plate or goad.[114] Both the terms 'tottra'[115] and aṅkusa[116] appear to have been identical in sense.

The Chinese pilgrim's observation with regard to the war elephants whose tusk was required to be armed with sharp burbs may be supposed to be reasonable since the elephant while going to the battle field was required to be decorated and armed like the other soldiers for the beast's protection. Megasthenes has probably committed mistake or has been misinformed when he says that the chariots were drawn by oxen and the horses led along by a halter lest their legs might be galled and inflamed. The Udyogaparva[117] notes that horseman was required to be surrounded by ten men as attendants. It was due to the fact that throughout the centuries the infantry was theoretically and in practice more numerous than cavalry as compared to chariots or horsemen. The lexicon called Vaijayanti says that Patti may consisted of three horses, five foot soldiers, one chariot and one elephant and that three Pattis

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110 Fragm. Megasth, XXXIV.
111 XV.52.
112 XIII.10.
113 IV.31.33.
114 VII.187.47.
115 VII.134.6.
116 VII. 29.17.
117 152.22.

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may be equal to Senāmukha and that Senāmukha, gulma, gaṇa, vāhinī pṛtanā camū anīkinī each represent three times as many as the proceeding one. That ten anīkinīs may be equal to an aksauhinī. The Nitiprakāśikā[118] gives a table of groups and remarks that of these groups had in turn numerous supporting men e.g. each elephant was required to be followed by a hundred horsemen and a thousand foot soldiers and each horsemen was supported by a thousand foot soldiers. From the Bhīṣma,[119] Droṇa,[120] and Śalyaparva,[121] it appears that chariots had only two wheels. Two noted warriors were required to guard the two wheels of the Chariot of the principal commanders and they may be identified as 'Cakra-raksan'. The Ādi,[122] Udyoga[123] and Droṇa parvas[124] have described us that chariots of great warriors were drawn by four horses. The equipment of the chariot of Poros may be taken as the standard in vogue in Mauryan epoch. Curtius[125] observes that each chariot was drawn by four horses and carried six men of whom two were shield bearers, two archers posted on each side of the chariot and the other two charioteers as well as men-at-arms, for, when the fighting was at close quarters they dropped the reins and hurled dart after dart against the enemy.

The Śukra-nītisāra[126] refers to the names of officers while suggesting regrouping of the foot soldiers and informs that five or six soldiers made a patti over which there was an officer called patti pa. Over thirty pattipālas, there was the gaulmika ; over hundred gaulmikas was posted an officer known as Śatāmīka, who had as his assistants an

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118 VII.3,10.
119 98.47.
120 154.3.
121 16.24.
122 198.15.
123 48.50.
124 145.81.
125 VIII,14.
126 11.140-198.

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officer called anuśatika, a senānī and a lekhaka (scribe) ; the officer over twenty elephants or horses was called nāyaka. Each of these officers should have distinctive badge indicative of their position.[127] It appears that neither the epic nor from any Indian texts we find any clear mention about the system of military administration by Boards refers to by Megasthenes. Even Kauṭilya makes no mention of such management by Boards ; still this authority[128] prescribes six departments such as the Padyādhyakṣa, the aśvādhyakṣa, the rathādhyakṣa, the hastyādhyakṣa, the nāvādhyakṣa and the ayudhādhyakṣa which it seems has similarity with Megasthene's enumeration of the military system by Boards. Kauṭilya, though refers to us the name of an officer who was required to be in charge of the chariots still in medieval times the use of chariots in wars appears to have become obsolete.[129] The last named officer called ayudhādhyakṣa was probably analogous with the commissiariat department of the Greek writer. Similarities also appear to have existed between the Board of infantry and the department of Padyādhyakṣa, the Board of cavalry and the Department of aśvādhyakṣa, the Board of elephants and the Department of hastyādhyakṣa and the admiralty with the Department of nāvādhyakṣa. Every Department mentioned by Kauṭilya were supposed to look after the proper training of animals and men, their feedings, their health their equipment and their discipline. Though there seems to have no pointed reference to a naval force and a department of admirally in Kautilya still we can assume that Kauṭilya has in mind a similar institution by his regulations as regards instruments of warfare, native vessels leaving for foreign countries and foreign vessels entering native ports.

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127 Kane, History of Dharmaśāstra, Vol.III, p. 206.

128 BK. 2, Ch. XXX-XXXII.

129 Kane, History of Dharmaśāstra, Vol.III, p. 206.

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Besides the Commander-in-chief, the other officers of the army were commandants of cavalry, infantry, chariot and elephants.[130] There was another officer designated as nāyaka whose pay was twelve thousand paṇas per annum, while the salary of the Commander-in-chief was fixed at fortyeight thousand paṇas. Hence nāyaka had a status lower than that of Commander-in-chief. From Kauṭilya[131] we further learn that the nāyaka was the chief of ten Senāpatis of Commandants. Neither the epic nor any other Indian texts seem to have thrown any light on the function of a nāyaka. Kauṭilya however prescribes certain duties which was required to be discharged by him. The Śukra nītisāra[132] simply enumerates the nāyaka as the head of twenty elephants or horses. According to the Arthaśāstra,[133] a nāyaka was required to attend to the array of different army constituents, to collect scattered soldiers ; to arrange for the halt, march and retreat. His duty was to arrange these army constituents by various signs, such as the trumpet sounds, flags and standards.

Megasthenes reference to the royal magazine for the supply of arms to the soldiers at the time of war seems to have coincided with Kauṭilya's idea of a separate Arsenol Department where arms and armours were supposed to be manufactured and from where soldiers were supplied with arms on the eve of an impending expedition. The celebrated writer[134] also refers to this system while he had been describing his fifth caste. Thus it seems that the facts which had been noticed by the foreign observers had been borne out by indigenous authorities noticed above.

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130 BK.II, Ch.3.
131 BK.V, Ch.3.
132 II. 140-148.
133 Ganapati ed., Vol.III, pp.141-2.
134 Megasth. Fragm. 35 and 36 = Arr. Ind. 11f ; Strabo XV,C. 703 V.

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CHAPTER - VII

L A W AND J U S T I C E

Megasthenes while giving as his impression about the law and justice administered in ancient India says that oral tradition and memory played much greater part in administering law and justice as compared to written documents[1] although he could not say with certainty that writing was unknown in India or the people were ignorant of writing. It seems that Megasthenes was under some misapprehension as to what was told since in another place while he was describing seven castes refers to Philosophers giving useful suggestions in respect to writing.[2] Similarly Strabo[3] states that the Indians were ignorant of writing but Nearchus[4] says that Indians "write missives on linen cloth". Hieun Tsang[5] also confirms that "thin system of writing wasinvented".

Megasthenes observation seems to have revealed two very significant aspects viz., Administration of Law and Justice was usually based on oral tradition and memory and the latter played an important part in deciding cases on account of the fact that the Indians were ignorant of writing. The first part of Megasthene's statement may be partially true since one important source of law for the Hindus had been

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1 Megasth Fragm. 27 Arr. Indica. 10, Strabo XV,C.709.

2 Megasth. Fragm. XXXIII.

3 Strabo Fragm. XVI. 53-54.

4 67. Cf. R.C. Majumdar, Classical Accounts of India, p. 279.

5 Watters On Yuan Chwang's Travels in India, Vol I p. 152.

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the Vedas and all the dharmaśāstras or codes of law having their basis in the Vedas. If the laws had its source from the Vedas and if the texts of the Vedas transmutted from teacher to pupil from generation to generation by a system of oral tradition, then it may be concluded that the traditions were transmitted through oral tradition. All knowledge was thus stored in the memory. Men of learning were just like travelling libraries of those days. The system of oral learning and teaching was valued highly in ancient India for its intrinsic merits and efficiency as an educational method and continued in vogue even after writings was in common use. This oral transmission known as Śruti practice seems to have been regularised into a system in Smṛtis which probably played an important part in deciding cases. Megasthenes probably has mention of about one of the fources of law through which law and justice were required to be administered. It seems that he was probably told that the laws of the land were contained in the Smṛtis and the Smṛtis were remembrances in the form of Codes of Vedic injunctions in which every judge was required to be well-versed. The Judicial officers were so well conversant with the knowledge of the laws and customs of the land that they decided cases without reference any written Codes of law and this fact perhaps induced Megasthenes to draw the conclusion that the Indians were ignorant of writing. Manu[6] also enumerates four sources of law viz., Śruti or the Vedas, Smṛti, customs of holymen and one's own inclination. Manu[7] however makes it clear that in case of conflict the Śruti prevails over Smṛti and these have precedence over the last two. But Kauṭilya lays down that Dharma (sacred law),

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6 II.6.10.12.

7 II.13.

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Vyavahāra (Contract), Charitra (Custom) and Rajaśāsana (royal decree) are to be considered as the four legs of law, each of which may be of superior validity to one previously named. This seems to be one important innovation by which the kings became the holder of the highest authority for promulgating law. Kauṭilya's dictum appears to be still more revolutionary on the ground that whenever sacred decries (Śāstra) stands in conflict with rational law (Dharmanyāya), then reason should be the deciding factor. His dictum has however been contradicted by most of the Dharmaśāstras which place the sacred law above all, even above the royal decree.[8]

The custom or law which bound the king and all other organs of government thus represented the will of the gods as well as the wisdom of ancestors. It was both written and unwritten to be gathered from the scriptures and the codes as well as from oral tradition transmitted from generation to generation in various localities and among various groups.

Megasthenes' second contention that the Indians were ignorant of writing does not hold good. Whether writing had been employed long before Megasthenes visited India seems to be a matter of controversy owing to the fact that the use of writing for literary purpose seemed to have been unknown to Pāṇini,[9] according to Max Muller. But his view was abandoned by the scholar himself since the other scholars thoroughly exploded and came to the conclusion that writing had already been known.

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8 Proceedings of Indian History Congress, VII. 43.

9 Max Muller, History of Sanskrit Literature, p. 507.

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With regard to the Brāhmī script which is considered as being derived from some form of semitic script about 800 B.C. and this hypothesis held a field for a long time. Even western scholars do not appear to have accepted even now Buhler's dating of origin of Brāhmī script i.e. 800 B.C. Brāhmī may be traced back to the Phoemician type of writing represented by the inscription in which Mesha, King of Moab (C.850 B.C.) records his successful revolt against the Kingdom of Isreal. It was probably brought into India through Mesopotamia, as a result of the early commerce by sea between Babylon and the ports of Western India. It may be considered as parent of all the modern Indian alphabets.[10] The excavations at Mohenjo-daro tend to throw grave doubt on the theory. From the remains of Harappa and Mohenjodaro it may be supposed that the Indus people had invented writing at a much earlier date on burnt clay and pottery.[11] The Piprahva vase shows writing on stone several centuries before Christian era and the Sohagpur copper plate inscription seems to be the earliest writing on Copper plate yet discovered.[12] Most ancient dharmaśāstras refer to writing as well known. Gautama[13] appears to have referred to a witness singing himself as such on a document. Vasiṣtha[14] Viṣṇudharmasūtra[15] and Yājñvalkya[16] mention likhita (document) as the first means of proof. Manu[17] uses the word Karaṇa in the sense of document. He[18] further refers to documents obtained by Coercion. The Śāstrakāra[19] further refers to a fabricated royal edict (Kūtaśāsana). Kauṭilya[20] seems to have written a special

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10 Cambridge History of India, Vol.I, p.18.

11 R.K.Mookerjee, Hindu Civilisation, p. 18 and Kane, History of Dharmasastra, Vol.III, p. 507.

12 Annals of B.O.R. Institute, Vol. XI, p. 32 ff. 13 XIII.4.

14 16.10. 15 IV.23. 16 II.22. 17 VIII.51.

18 VIII.168. 19 IX.232. 20 II.10.

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chapter on royal chapter of royal writings (Śāsana) in which he dilates upon the qualifications of the King's scribe in regard to an official document, the good points required in an official missive, on various divisions of writing and on the faults in official writings that are required to be avoided. Kauṭilya[21] further prescribes that the King should hold consultations with absent ministers by sending letter (patra, a leaf or a piece of birch bark or similar material) and in another place[22] states that consultation by letter (patra) with the council of ministers should be held in the fifth part of the day. Kauṭilya[23] further advises us that the construction of rooms should be made in such a manner that it should have provisions for keeping books concerning accounts. In fact he[24] has made references to writings in various other connections. Kauṭilya[25] appears to have used the word Karaṇa in the sense of document and prescribes a rule which seems to be the same as Yājñvalkya.[26] The latter[27] speaks of land grants being written or engraved on cloth or copper plate. It seems that this has a resemblance with what Nearchus[28] refers to us. The Epigraphia Indica[29] furnishes us with one of the oldest copperplate grants which appears to be the Taxila plate of Mogā identified with Moa of the Śakas and may be of not later than 120 B.C. It seems that wooden boards were used for writing ephemeral matters and patra for more permanent use since Kātyāyana[30] states that the first information was required to be written on a board with chalk and the formal plaint on a leaf (patra). The Lalita Vistara[31] states that Buddha used a board of Sandal wood for learning the script.

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21 I.11. 22 I.19. 23 II.7. 24 II.21, II.30, IV.9, IV.10.
25 III.1. 26 I.319. 27 I.319.
28 67. cf. R.C.Majumdar, Classical Accounts of India, p.279 and McCrindle Ancient India As Described in Classical Literature, p.73.
29 Epigraphia Indica, Vol.IV,p.54 and Rapson, Indian Coins, p.7.
30 p.293. 31 10th Chap. p. 143, B.I.ed.

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Yājñvalkya,[32] Nārada,[33] Kātayāyana[34] and Śukra[35] and several digests may be supposed to have devoted attention to documents. Nārada[36] seems to have eulogised documents by saying that if the creator had not created writing which he considers to be an excellent eye, the world would have come to grief and that a document may be an indubitable means apprehending the time, the place, the pbject, the material, the extent and the duration of a transaction. Bṛhaspati quoted in Vyāvahāraprakāśa[37] says how the system of writing evolved and states that since people began to entertain doubts about a transaction even in six months from the occurence, the creator, therefore, created in the hoary past letters which may be supposed to have recorded on writing material (patra). The Lalitavistāra[38] refers to us sixty four scripts which were supposed to have known by Buddha among which Brahmi seems to be the first. Nārada, Bṛhaspati and Śukra probably tried to explain why the alphabet current in their days was called Brāhmī since it is created by Brahmā. Hieun Tsang[39] also corroborates the view of the Smṛtikāras and says that "their system of writing was invented as is known, by the deva Brahmā, who at the beginning instituted as patterns forty seven (written) words".

We also have a reference that two kinds of narrow and broad leaves known as tala and tedet were used as writing materials.[40] Arrian[41] quoting Megasthenes refers however to 'tala' tree while he has been

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32 II.84-94. 33 IV.69-75 and 135-146. 34 249-312.
35 II.291-318 ; IV.172-182. 36 IV.70-71. 37 p. 141.
38 10th Chap. p. 143.
39 Watters On Yuan Chwang's Travels in India, p. 152.
40 H.P.Sastri, Meghadan Literature, p. 89.
41 Arr. Frag.VII. Cf. McCrindle, Ancient India as Described by Megasthenes and Arrian, p. 204. Bhāsa in his Drama Cārudatta appears to have used the word Talipatta (Palm leaf) which probably indicates a writing materials.

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describing characteristics of Indian people and says that the Indians required the bark of tāla tree for they used to subsist on it. He does not refer to us that the bark of the tāla tree was used by the Indians as writing material. It seems that the bark which Arrian has noticed probably had been in use as writing popularity of paper, orthodox pandits prefer to write in the Palmyra leaves while writing horoscope. Tradition seems to be strong in India that even now when our boys are sent to school on the first day they are supposed to carried a Palmyra leaf with alphabets inscribed thereon. It therefore stands to reason that Palmyra leaves were used as writing materials from earliest times. A very important point may be noted in this connection that in the list of Saṃskāras of the Gṛhyasūtra of old, the first initiation into the mystery of learning does not seem to have been mentioned as a sacrament while Kauṭilya in his Arthaśāstra mentions it definitely. Therefore it may be probable that sometime after the composition of the Gṛhyasūtra and much earlier than the Arthaśāstra, art of writing had been evolved. A pre-Buddhist work like Vasiṣṭha Dharmasūtra refers to writing documents. This art had advanced so much that bad writing was even discouraged.[42]

Megasthenes[43] while indicating veracity and honesty of Indian people says that "Any Indian has never been convicted of lying". The truth of Megasthenes' statement may be corroborated through the observation of Al-Idrisi,[44] an Arab Geographer who came to India a few

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42 H.P.Sastri, Magadan Literature, pp. 61-62.

43 Megasth. Fragm. 35 = Arr. Ind. 12.5.

44 Nainar, Arabs' Knowledge of Southern India, Madras University Islamic Series, No.7, 1942, p. ß 97.

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centuries later i.e., about 1154 A.D. appears to have stated that "the Indians are naturally adhers to Justice and never depart from it in their action. Their good faith, honesty and fidelity to their engagements are well known and they are so renowned for these qualities that people flock to their from every side". Megasthenes observation further can be attested from the theme of the drama entitled Mudra-Rākṣasa where the dramatist tries to preach some kind of morality through a minister of Cāṇakya and a spy Bhāgurāyaṇa. Even the characters of the drama once showed cruelty, infidelity, ingratitude, falsehood to meet their political ends have shown a high standard of morality which can best be illustrated from the fact that the minister of Cāṇakya lived in a poor hut and refused to bend before the sovereign.[45] A spy like Bhāgurāyaṇa also ultimately feels that he has to act treacherously towards the fully confidings Malayketu.[46] An ordinary spy like Samiddhārthaka appears to be furious when he learns that he would be asked to commit murder a good man like Caṇḍandasa.[47] A fine display of morality appears to have been made by Siddhārthaka, a poor spy when he handed over the signet ring of Rākṣasa to his master Cāṇakya without being tempted to melt it for himself.[48] The Rākṣasa whom we have seen so far as cruel in devising various means to get Candragupta murdered was seen to become sorry by the said plight of Vīrādhagupta.[49]

Rtesias,[50] the famous Greek physician of Artaxerxes Mnemon, was first Greek writer who tells us about the character of the Indians as "very just". We may see the reflection of a common Greek belief that a

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45 III, 15-16. 46 Act. VI. 47 Act.VI.
48 Act. I. 49 Act. II.
50 Diod. II, 32,4 ; Plut. Artax. 21.

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people of ideal goodness lived somewhere at the extremities of the earth. Megasthenes[51] states that thefts were extremely rare and that the Indians honoured truth and virtue. Arrian, when speaking of the public overseers* or Superintendents in India says, "They oversee what goes on in the country or towns and report everything to the kings, where the people have a king and to the magistrates, when the people are self governed, and it is against use and wont for these to give in a false report, - but indeed no Indian is accused of lying".[52]

The Chinese who came next in order of time seems to have borne the same unanimous testimony in favour of the honesty and veracity of the Hindus. The earliest witness seems to be Su-We, a relative of Fan Chen, King of Siam who between 222 and 227 A.D. sailed round the whole of India, till he reached the mouth of the Indus, and then explored the country. After his return to Siam, he received four Yueh Chi horses, sent by a king of India as a present to the king of Siam and his ambassador. At the time when these horses arrived in Siam, there was staying at the court of Siam an ambassador of the Emperor of China-Khang-Thai and this was the account he received about the Kingdom of India.

'It is a kingdom in which the religion of Buddha flourishes. The inhabitants are straight forward and honest and the soil is very fertile. The king is called Meu-lun and his capital is surrounded by walls. This was in about 231 A.D. In 605 we hear again of the emperor

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51 Megasth. Fragm. 27 = Strabo XV,C.709.

52 McCrindle, Ancient India as described by Megasthenes and Arrian,p.217.

* This has been discussed in Chapter II.

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Yangti sending an ambassador, Fei-tu to India, and this is what among other things he points as peculiar to the Hindus. "They believe in solemn Oaths".[53] Hieun Tsang, the most famous of the Chinese Buddhist pilgrims, who visited India in the seventh century A.D. says that "Though the Indians, are of light temperament, they are distinguished by the straight forwardness and honesty of their character. With regard to riches, they never take anything unjustly ; with regard to justice, they make even excessive concessions ; straight forwardness is the distinghishing feature of the administration".

From very ancient times truth appears to have been exalted in India above everything else. RgVeda[54] says that true speech and false speech run a race against each other. Soma protects the truth and those who appeared to be straightforward and strikes down what is false. The conception of ṛta in the RgVeda appears to be sublime one and may be treated as the germ of the later doctrine of Dharma. The Śatapatha Brāhmaṇa[55] enjoins "Therefore let a man speak naught but truth".

In the Taittirīyapaniṣad[56] the teacher when taking leave of his pupil at the end of the latter's studenthood places truth in the forefront of his exhortation and dharma next. In the Chāndyogya[57] there seems to have a reference to an allegory of a soma sacrifice on life where

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53 Stanislas Julien, Journal Asiatique, 1847, pp. 98, 105.
54 VII.104-12.
55 S.B.E., Vol.44, p. 85.
56 I. II. I.
57 III. 17.

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the dakṣinā may be of five fold aspect viz., the five virtues of tapas (asceticism), dāna (charity), ārjava (straight forwardness), ahiṁsā (non-injury to sentient beings) Satyvacana (truth fulness). The Bṛhadāraṇyaka[58] Upaniṣad remarks that truth may be identified with dharma in practical life. One of the noblest prayers in all literature occurs in the same text[59] "from falsehood lead me unto truth, from darkness lead me into light, from death lead me into immortality". The Mundokopaniṣad says 'only truth is victorious and not falsehood', the path of the Gods is spread out by the persuit of truth'. The Udyogaparva[60] speaks of the twelve vrātas (vows or rules of conduct) for Brāhmaṇas and verses[61] describe at great length the characteristics of one who has controlled ones self i.e. danta. The Śāntiparva[62] of the Mahābhārata further prescribes how Satya had thirteen aspects and the verse[63] says that non-injury to all beings, in thought, word and deed, good will and charity may be the eternal dharma of the good. Gautama[64] holds that dayā (compassion or love for all beings), Kṣānti (forbearance) anasūyā (freedom from envy), Śauca (purity of body, speech and thought), anāyāsa (absence of painful efforts or ambition), maṅgala (doing what is commended), akārpaṇya (not demeaning oneself before others), aspṛhā (not hankering after sexual pleasures of the possessions of others) may be the qualities of the soul. Vasiṣṭha[65] delivers a fine exhortation in which he urges for practising dharma righteousness and not adharma, speak the truth and not untruth ; look far ahed, not near, look at what appears to be the highest and not at what does not appear to be lofty.

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58 I.4.14. 59 I.3.28. 60 43.20ff. 61 22-25.
62 162.7. 63 162.21. 64 VIII,24-26. 65 XXX.I.

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In the Taittirīya Āraṇyaka[66] again we find that the text says "let a man guard himself from falsehood (or sin)".

The whole plot of one of the great epic poems, the Rāmāyaṇa rests on a rash promise given by Daśaratha, king of Ayodhyā, to his second wife, Kaikeyī, that he would grant her two boons. In order to secure the succession to her own son she asks that Rāma, the eldest son by the king's other wife, should be banished for fourteen years. Much as the king repents his promise, Rāma his eldest son would on no account let his father break his word, and he leaves his kingdom to wander in the forest with his wife Sītā and his brother Lakṣhmaṇa.

The other epic, the Mahābhārata also happens to be full of episodes showing profound regard for truth, and an almost submission to a pledge once given. The death of Bhīṣma, one of the most important events in the story of Mahābhārata may be due to his vow never to hunt a woman. He was thus killed by Śikhandī whom he took to be a woman.

We must not however suppress the fact that under certain circumstances, a lie was allowed or at all events excused by lawgivers. Thus Gautama,[67] Vasiṣtha[68] and in the Mahābhārata[69] 'An untruth spoken by people under the influence of anger, excessive joy fear of pain or grief, by infants, by very old men, by persons labouring under

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66 X.9.
67 V.24.
68 XVI.35.
69 VIII.34.36.

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a delusion, being under the influence of drink or by mad men does not cause the speaker to fall or does not consider the speaker of having committed a mortal sin". This seems to be a large admission yet even in that open admission there appears certain amount of honesty. The Mahābhārata[70] pleaded excuse. The epic appears to have contained a well known story of Kauśika called Satyavādin, the truth speaker who goes to hell for having spoken the truth. He once saw men flying into the forest for fear of robbers who were persuing them. The robbers came up soon after them and Kauśika told the robbers the truth about the fugutives. The men were caught by the robbers and killed. But Kauśika, we are told went to hell for having spoken the truth.

Megasthenes[71] further throws light on some very important aspect of law suits where witnesses and seals were unnecessary, since the person on whom the article of deposit seems to have been deposited, acts in trust.

Aclian[72] appears to have attested the view of Megasthenes and says that 'The Indians neither put out money at usury, no know how to borrow. It is contrary to established usage for an Indian either to do or suffer a wrong and therefore they neither make contracts nor require securities'. The Greek writer probably has referred to the position when the laws were not supposed to have been codified, since

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70 I.3412 ; III. 13844 ; VII. 8742 ; VIII.3436, 3463.
71 Megasth. Fragm. 27 = Strabo XV, C. 709.
72 Aelian L. 4. cf. Majumdar, Classical Accounts of India, p.421.

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from the contents of the extant versions of law book of Manu some noteworthy data may be availed of which goes to show that the work may be of earlier date than any other Dharmaśāstra. There seems not the slightest allusion to any sectarian cult ; documents were not cited in the rules on evidence ; widow burning does not appear to have been recommended nor do we have recommendation to the cult of images although images were known as objects of veneration. The position of the law giver in regard to the titles of law, evidence, ordeals etc. seems more primitive than that of any other author of Dharmaśāstra and even that of Viṣnu in the Dharmaśāstra.

Megasthenes further says that the houses and property of Indians were left generally unguarded.[73] This observation seems to be the outcome of the tendency of Megasthenes to establish the honesty of Indians. This cannot mean that there was no theft of any kind or robbers of any sort, since the expression Taskara' meaning a thief appears to have occured in the ṚgVeda[74] and frequently in the Atharva-veda,[75] Vājasaneyī Saṃhitā[76] and in Nirukta.[77] The word is practically synonymous with the term stena in connection with which it appears in the ṚgVeda.[78] The expressions stena and Taskara seem to have been contrasted in the Vājasaneyi Saṃhitā[79] with the Malimlu who happens to be a burglar or house breaker while the others are highwaymen. The ṚgVeda[80] however puts it as 'men who haunt the woods and risk their lives'. In another passage of the ṚgVeda[81] however, the dog appears to be placed to bark at the Taskara or the Stena which clearly refers to an

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73 Megasth. Fragm. XXVII = Strabo. XVI. 1.53-56.
74 1. 191.5 ; VI. 27.3.
75 IV.3.2 ; XIX.47.7.
76 XI. 77.78.
77 III.14.
78 VII.55.3.
79 XI.79.
80 X.46.
81 VII.55.3.

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an attempt at house-breaking. In one passage of the RgVeda[82] the use of lords appears to have been mentioned but whether the lords were required for the purpose of capturing thieves or binding the victim do not seem to be clear. The Atharvaveda[83] refers to the Stena and the Taskara as cattle and horse thieves.[84] Tāyu was another name for a thief perhaps of a less distinguished and more domestic character than the highway man for though he appears to have been referred to as a cattle thief in RgVeda.[85] Tāyu seems to have been alluded to as a stealer of clothes in the same text.[86] In the Śatarudriya litarary of the Vājasaneyi Saṃhitā[87] Rudra has been called lord of assailers (ā Vyādhin) thieves (Stena), robbers (taskara), pickpockets (Stayu) etc. It may be therefore not surprising that the RgVeda[88] should contain many prayers for safety at home or on the way or that the Atharva-veda[89] should devote several hymns chiefly for protection against the evil doings of thieves and robbers. The particulars supplied about a thief in the Mṛcchakaṭika[90] which though belonging to a latter age no doubt incorporates ancient traditions leading us to infer that in older times thievery was practised as an art. Skanda or Kumara Kārtikeya appears to be the patron deity of thieves and hence they were also called Skandaputas. Skanda, though the God father of thieves, was worshipped for the recovery of stolen property. There appears other deities such as Kanaka śakti. Bhāskaranandan and Yogācarya (who appears to have been taught by Skanda) whose blessings a thief invokes before proceeding to

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82 X.4.6.
83 XIX. 50.5 cf. RV.X.97.10 (Stena).
84 Whitney, Translation of the Atharva-Veda, p. 984.
85 I.65.1 ; VII, 86.5.
86 IV.38.5.
87 XVI.20.21.
88 I.129.2 ; II.23.16.
89 XIX.47-50.
90 Act. III.

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his work. There were different treatises, schools and teachers of the subject. Kanakaśakti appears to have mentioned four different ways of making holes in walls which were made in different material such as baked or unbaked bricks or mud or wood. Various shapes of holes were prescribed as suited to particular occasions. The student, it appears, passed through some period of apprenticeship after receiving full instructions from his teacher. The teacher presented his favourite pupils with specially useful articles such as a magical, ointment (yogarocana) capable of rendering invisible and invincible the person applying it. One of the ancient masters of the science of thieving, viz. Kharapata whom Sajjalaka, a character of the play Cārudatta[91] pays his homage, appears to have attended to by Kauṭilya in his Arthaśāstra.[92] Kauṭilya in his Arthaśāstra provides us with instructions in the matter of causing drowsiness to the inmates of any particular household or of opening doors or becoming invisible etc. although the text mentions these devices in quite different connection. Thieves appear to have generally received instructions in the science and began their work with their instruments after bowing to their deities.[93] The thief Sajjalka in the drama Cārudatta however was conscious of the lowness and shame of his business and though he tries to justify it on the precedent of Aśvatthāman, Sajjalka appears to have acknowledged that he has been driven to the despicable work owing to the power of cupid. Human nature being what it is, it seems impossible to think of a state of affairs at any time and in any climate where robbery was totally absent and where transparent honesty

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91 P.75.

92 Artha. IV. 8, O p.221 - 'Kharapaṭṭa Also Kharapaṭa Asutosh Memorial Volume, I, pp. 224-27.

93 Pusalkar, Bhāsa- A Study, p. 463.

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prevailed. What Megasthenes means may be that the administration of the law was under such powerful hands that none dared to commit crime of any sort. Nothing more can be deduced from this statement.

Onesicritus's[94] observation that 'no legal action could be taken except for murder and assault which testifies that there had been little evidence in early literature as to the administration or code of law followed and this assumed definite or became embodied in the codes of law or the Dharmaśāstras.[95] Thus we find much of the positive law in the Smṛti texts. But this does not however, prove that there was any elaborate judicial organisation in the Vedic period or there was no need for it, the people living in the scattered tracts and in groups, each group being self contained and independent. Here the elders of that group took cognizance of the cases arising among the members of the group, and punishment was awarded according to the nature of the offence by the group of elders in keeping with the local usages or customs. In fact the crimes mentioned in the Vedic literature seem to varied greatly. Moreover distinction between real crimes and fanciful bodily defects do not appear to have existed. In the Taittirīya[96] and Kāthaka[97] Saṃhitā the crimes enumerated include the slaying of an embryo (bhrūna), the slaying of a man. The Taittirīya, Saṃhitā[98] further refers to the slaying of a Brāhmaṇa as a much more serious crime. Treacherous acts seems to have been referred to in the Pañcaviṃsa Brāhmaṇa[99]

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94 Strabo XV,C,702.
95 Dikshitar, Hindu Administrative Institutions, p. 219.
96 VI.5, 10.2.
97 XXXI.7.
98 II.5, 1,2 ; V.3.12.1.
99 XIV.6,8.

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as being punishable by death. The punishment with death seems to have been inflicted by Kutsa Aurava who was a son of Uru to the former's purohita Upagu Sansravasa for disloyalty in serving Indra to whom Kusta was hostile. With the exception of solitary example, punishment with death was found later.[100] It seems that there may not be any trace of organised criminal justice vested either in the king or in the people. There appears to have prevailed the system of wergeld i.e., Vaira which indicates that criminal justice remained in the hands of those who were wronged. In the RgVeda[101] and in the Pañcavimśa Brāhmaṇa[102] the expressions 'Vaira-deya' and 'Vaira' seem to have used in the technical sense of 'wergeld', the money to be paid for killing a man as a compensation to his relatives.[103] These views appear to have been borne out of the Sūtras of Āpastamba[104] and Baudhāyana.[105] The former and the latter may be supposed to have prescribed 1000 cows for killing a Kṣatriya, 100 for a Vaiśya, 10 for a Śūdra. Āpastamba[106] and Baudhāyana[107] appear to have possessed the view that the crime of slaying a Brāhmaṇa seems to be too heinous for a 'wergeld'. The system of Vaira surely marks a stage when the criminal powers vested in the sovereign were rather weak and the latter was perhaps not sufficiently armed to award severe punishment. The Chāndogya Upaniṣad[108] and the Taittirīya Āraṇyaka[109] have enumerated a number of criminal offences which deserve a severest form of punishment. The thief caught in the net, the murderer of a Brāhmaṇa, the defiler of preceptor's bed, the drinker of spirituous liquors, the stealer of cows and gold all seem to have committed unpardonable crimes.

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100 Sacred Books of the East, Vols. 2, and 14. 101 V.61.8.
102 XVI.1.12. 103 Macdonell & Keith, Vedic Index, Vol.II, p.331.
104 I.9.24,1-4. 105 1.10,19,1,2. 106 1.9.24.7.
107 I.10,18,18. 108 V.10.2. 109 X.65.

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In the Mṛcchakaṭika[110] the system of wergeld i.e., Vaira seems to have prevailed as it has been stated that when a criminal was decreed to be punished with capital punishment, he could be set free if an adequate ransom was paid. In the Mudrā-Rākṣasa[111] we find that offenders could, as a general rule, be released on ransom consisting of large amounts of money, but this was not allowed in the case of persons accused of sedition who could secure their release only by proving by their action that they were not seditious. The Chāndogya[112] speaks of an ordeal in which a red hot axe would be used for the suspect in case of theft to prove his innocense. Inference may be drawn from all these that there was some sort of judicial procedure in vogue in the later period of the Vedic age.

On the question of the civil law Vedic literature bears little evidence. The relations of the family and the question of family property may have been dealt with Urvara, Kṣetra, Pati ; succession and partition of property may be treated under dāya. As regards the transfer of Chattals, the recognised modes of gifts (dāna) and barter or sale (krạya) which includes exchange. Also money lending contracts also were allowed.

Very little seems to have been found as to legal and judicial procedure. The list of victims at the Puruṣamedha or 'horse sacrifice' includes a prasnin, an abhi-prasnin and a prasna-vivāka in whom is not unreasonable to recognise the plaintiff, the defendant and

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110 Act. X.

111 Act. VI.

112 VI.16 ; cf. Pāñca., 14.66.

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the arbitrator or judge. The terms may have referred to what appears to be an early form of judicial procedure, a voluntary arbitration. In the RgVeda the use of the word Jiva grbh indicates 'seizing alive' the term for a police official in the RgVeda.[113] Although this sense may be rendered possible by the mention of madhyama-Śī, 'arbitrator' in the same passage[114] yet it seems that it was the function of the executive to administer the laws of the land.

It appears that law was both legal and moral. It was in that sense half law, half-morality. It would then appear that in the Vedic period generally though a distinction had been made between civil and criminal law, law and morality, still there existed very little judicial organisation or procedure as it was witnessed by Onesicritus Justice as a distinct branch of the Government was in the making towards the classical period.

Megasthenes while speaking of the various types of punishments which were inflicted on culprits says that a man convicted of false witness suffered mutiliation. He was probably misinformed since witness depositing himself falsely does not appear to have suffered mutiliation except in case where a witness was found to be guilty of frequent perjury. Āpastamba[115] states that 'when a witness deposes falsely the king should fine him and in addition the witness incurs hell after death' and Gautama[116] provides that 'a witness telling the truth goes to heaven,

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113 X.97.11.
114 X. 97. 12.
115 II.29.8-9.
116 XIII.7 and 23.

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but falls into hell if he does the reverse and when he deposes falsely, he may be censured and fined. Manu[117] states that if a witness deposes falsely through covetuousness, wrong ideas, fear of friendship, sexual passion, wrath, ignorance he was to be punished with varying fines for perjury arising from the aforesaid causes. Bṛhaspati[118] regards a corrupt judge, a perjured witness and the murderer of a Brāhmaṇa as equally sinful. Yājñvalkya[119] and Kātyāyana[120] seems to have prescribed that the litigant who procures perjured evidence and the witness guilty of perjury should each be separately fined and the fine should be double the amount of the fine prescribed for defeat in various disputes. But when a person belonging to any one of the three castes other than Brāhmaṇa is found frequently guilty of perjury, he should be fined and given physical punishment as cutting the tongue or death. Similarly a Brāhmaṇa found guilty of this nature should be fined and banished or degraded by being carried naked through the streets or deprived of his house. It seems that Megasthenes was not informed about the fact that mutiliation of limbs was not only prescribed for perjury but also cutting off limbs particularly hands and feet or fingers had been prescribed by Manu,[121] Nārada[122] and Yājñvalkya[123] in the case of thieves, pickpockets and cut-purses. Āpastamba,[124] Manu[125] and Nārada[126] further suggest that excision of the tongue was the sentence when a Śūdra abused a Brāhmaṇa or a Ksatriya by falsely charging a Brāhmaṇa with some grave sin. Gautama[127] prescribed that

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117 VIII.118-120.
118 Buhler, Sacred Books of the East, Vol.33, p.301. V.21.
119 II.81.
120 407.
121 IX.276-277.
122 Parisista Verse 32.
123 II.274.
124 II.10.27.14.
125 VIII.270
126 Pārusya 22.
127 XII.4.

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excision of the tongue was required when a Śūdra loudly repeated the Veda along with twice born persons and Nārada[128] suggests the same punishment to those who abused the king. Yājñvalkya[129] further seems to have awarded the punishment to those who repeatedly proclaimed what was disliked by the king or divulged the secret policy of the king. Gautama,[130] Vṛddha-Hārīta[131] and Nārada[132] seem to have prescribed the excision of the male organ for a Sudra who approached a woman of the three higher varṇas for sexual intercourse and for any one guilty of the rape of another's wife, for any one guilty or incest, or intercourse with ones mother, mother's sister, paternal aunt, sister the wife of an uncle, friend or pupil etc., or any chaste woman. Yājñvalkya[133] further informs us that the nose, the ears and the hands were required to be cut off in case of an offender found guilty of selling false gold or forbidden flesh such as that of a dog. Hieun Tsang[134] also refers to the same thing and says that 'for offences against social morality and disloyal and unfilial conduct the punishment is to cut off the nose or an ear or a hand or a foot or to banish the offender to another country or into the wilderness. Megasthenes[135] notes that 'if one is guilty of a very heinous offence, the king orders his hair to be cropped, this being a punishment to the last degree infamous'. Megasthenes' observation appears to have been corroborated by Manu[136] who suggests the same nature of punishment for a woman who pollutes a maiden. Nārada[137]

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128 Pārusya 30.
129 II.302.
130 XII.2.
131 VII.201.
132 Strīpumsayoga 73-75.
133 II.297.
134 Watters On Yuan Chawang's Travels in India, Vol.I, p. 172.
135 XXVII D Cf. McCrindle, Ancient India as Described by Megasthenes and Arrian, p. 72.
136 VIII.370.
137 Sāhasa 10.

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prescribes such punishment for a Brāhmaṇa whom the law does not allow to be sentenced to death on account of his caste. Śaṅkha-Likhita quoted by Aparārka[138] prescribes such punishment for one who has abused officers, Brāhmaṇas and elders.

Hieun Tsang while dealing with the social and legal matters like Megasthenes gives us additional informations with regard to the method of inflicting punishment on the wrong doers. He says that when a crime perpetrated by any one comes to light the offender may be imprisoned for life without having undergone any corporal punishment. It seems that the Chinese pilgrim does not define crime since the expression includes an act or omission that breaks the law and for which the breaker may be subjected to public punishment.[139] But all kinds of breaches of law do not result in punishment while some other think otherwise. Those breaches may be treated as acts of crime which are deemed to be menacing to the existence of society ; only those breaches are recognised as preventible through punishment. A breach that appears to be a crime at one time may even be held as no crime at another place or in another country. Just as adultery stands as a crime under Indian penal code[140] while it does not appear to be a crime but a civil wrong in English law.

In England the general rule was that the person injured proceeds against the wrong doer by an ordinary civil action and recovers compensation in the shape of damages if he succeeds. This generalisation does not apply to Hindu Law.[141]

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138 p.807. 139 Kane, History of Dharmaśāstra, Vol.III, p.386.
140 Sec.497. 141 Dr. Priya Nath Sen, Tagore Law Lecture on 'Hindu Jurisprudence' (1918, Lecture XII).

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The ancient Smṛti writers were quite aware of the several purposes served by punishments for crime though they did not develop a regular science of Penalogy. The person wronged feels a great urge for revenge or retaliation and others sympathise with that emotion. The individual, however, could not in civilised societies take the law into his own hand and that is why the state saw to it that the emotion for retaliation or revenge was to some degree satisfied by adequate punishment meted out to the wrong doer. In all ancient societies the "lextaliones" prevailed.[142] Punishment of the evil doer serves as an example and a warning to all others that might be tempted to tread the paths of violence and crime. The end sought to be served by punishment meant in fact the protection of society and the securing of its happiness. The Śāntiparva[143] remarks that people do not commit sin through fear of punishment at the hands of the kings, and for fear of Yama and of the next world and for fear of public opinion as well. Gautama[144] derives the word danda from the root dam to restrain or to deter. This purpose of punishment appears to have brought out clearly in the Mṛcchakaṭika[145] when the sentence passed on Cārudatta for the alleged murder of Vasantasenā appears to have been proclaimed to the citizens by the executioners. Another purpose of inflicting punishment on wrong doers seems to be preventive i.e, if a culprit has been imprisoned for an offence, he may be prevented or disabled from repeating the same or commiting further offences for sometime at least, and if he was sentenced to death or transported for life or banished, further commission of

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142 Kane, History of Dharmaśāstra, Vol.III, pp. 388-89.

143 15.5-6.

144 XI. 28.

145 X. after Verse 11.

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offences by him may be prevented. This preventive measure of punishment might have been referred to by Hieun Tsang while he has been describing the administration of justice.

It will be seen from the early sūtras prescribed by Gautama and Manu that the ancient criminal law in India was very severe and drastic but that from the times of Yājñ̃valkya, Nārada and Brhaspati, whose dates of appearances were probably placed to the fourth and fifth centuries A.D. respectively, the severity of inflicting punishments was much relaxed. The rigour of punishments appear to have been lessened and softened and the imposition of fines appears to have been the common punishments for many crimes as had been attested by Fa-hien (399-400 A.D.) in relation to middle India (Madhydeśa) under the Guptas apparently : Fa-hien states that 'The King governs without decapitation or other corporal punishments criminals are simply fined, lightly or heavily according to the circumstances. Even in circumstances of repeated attempts at wicked rebellion they only have their right-hands cut off'.[146] This may be contrasted with the state of things depicted by Megasthenes seven hundred years earlier than Fa-hien[147] 'a person bearing false ~~witness~~ witness suffers mutiliation of his extremities. He who maims any one not only suffers loss of the same limb but his hand may also be cut off. If he causes an artizan to lose his hand and eye he is put to death'. It was probably initiated considering importance of the artizan class who were supposed to render service to the state by employing hands

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146 Legge, Travels of Fa-hien (1886), p. 43.

147 Megasth, Fragm. XXVII and XXVIID cf. McCrindle, Ancient India as Described by Megasthenes and Arrian, pp. 70 and 72 and Nicol Damasc. 44, Stob Serm. 42 (1876-77).

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and eyes. If suddenly somebody caused the artisan loose his tools of his trade, through which he used to eke out his sustenance, the person who caused such should be awarded death punishment. The ancient Smṛtikāras were much humane, in making laws for punishment as it seems evident from Nārada who provides humane rule even for those who committed heinous offence and says that when the king orders confiscation of all the property of an offender he should not deprive the offender of the tools of his trade or the tools of his craft, such as arms in the case of a soldier, materials of art in the case of artisans, ornaments of Courtezans, musical instruments of musicians etc. Śaṅkha-Likhita quoted Vivādaratnākara of Candeśvara[148] appears to have contained similar provisions. Even if after committing an offence, one would not be deprived of his means of livelihood, yet if a person caused injury to such a person in such a manner which robbed one of ones sustenance, it would be justified that the wrong doer should be punished with death. But the punishment in the form of death sentence appears to have been discouraged by the Smṛtikāras. The daśakumāracarita[149] states that the Mauryas conferred a boon on traders that for certain offences, they were not to be sentenced to death but were supposed to be banished after depriving them of their wealth. The first rock edict of Aśoka at Dhauli[150] shows that great Emperor was quite anxious to find his judicial officers should strive to see that there may not be any deserved fettering or undeserved harsh treatment. In India fewer offences have been held as capital offences at any time than in the west. In England

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148 p. 656.
149 II. p. 56.
150 Corpus, I.I. pp. 93, 97.

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'there can be no doubt that the legislation of the 18th century in criminal matters was severe to the highest degree and destitute of any sort of principle or system.[151] At the beginning of 19th century in England more than hundred offences were punishable by death.[152] In 1832 a child was convicted at Ludgate Hall for stealing a box of paints worth two pence, was tried at the Old Bailey and hanged.[153]

Hieun Tsang[154] in addition to his remark about the criminal law further gives us some interesting information regarding different kinds of ordeals through which whether a person was guilty of committing an offence or he was innocent could be determined.[155] He enumerates four kinds of ordeals i.e., by water, fire, weighing and by poison. Thereafter the Chinese pilgrim goes on describing the procedure to be adopted at different kinds of ordeals when a suspected person was required to be tested. The Chinese pilgrim's observation does not seem to be a fiction since the expression appears to have carried identical meaning with what 'Divya' indicates. The expression 'Divya' may be defined as 'that which decides a matter indispute not determined by human means of proof or that which decides what can not be or may not be decided by human means of proof'.[156] Nārada[157] seems to have provided that when circumstantial evidence did not enable the court to arrive at a decision the Judge should press the litigant with Śapathas which include both

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151 Stephens, History of Criminal Law, Vol.I, p. 471.

152 Dr. Hart, Way to Justice, p. 94.

153 Dr. J.M.Brew, In the Service of Youth, 1943, Chap.XV. p.208.

154 Watters on Yuan Chwang's Travels in India, Vol.I, p. 172.

155 In Mṛcchakaṭika (IX.43) similar institutions of detecting culprit was in vogue if the facts were not clearly established, it was seen that recourse was to be had to four kinds of ordeals and a trial by ordeal appears to be fairly common in the society for serious offences.

156 Divyatattva, p. 574.

157 I. 158, 4-2.

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Oath and ordeals according to place, time and strength of the litigant such as fire, water, his spiritual merit and others. Manu[158] also says that when witnesses are not available, the truth would have to be found out by Śapathas. Viṣnu-dharma-sūtra[159] appears to have defined divine proof as daivīkikriyā or Samayakriyā. Some writers seem to have made distinction between Śapathas (Special Oaths) and ordeals (divyas). Manu[160] and Nārada[161] do not appear to have made any distinction. The vivādacandra[162] refers to Nārada[163] and says where a witness may not be found in a dispute between litigants, the judge should decide by means of ordeals and various śapathas. According to Mitākṣarā on the Yājñavalkya Smṛti[164] and Sarasvatīvilāsa[165] both special oaths and ordeals may be regarded as divine proof but in disputes concerning small value śapathas i.e., oaths were generally employed while ordeals were resorted to only in the cases of arising out of serious disputes or crimes. The same text further says that the ordeals may be those that generally help in getting immediate decision of the dispute while sapathas take some time because after the oath, the king requires to wait for a week or more to see whether a calamity befalls the person taking special oath. Bṛhaspati says that where documents or witnesses do not lead to a certain decision or where inference from circumstancial evidence also seem to be confusing, the matter may be decided by divine proof. The ordeals which Hieun Tsang refers to do not appear to be anything unheard of since it has a reference in the ṚgVeda,[166] where the sage Dirghatama's son Ucathya appears to have prayed to the fire of

158 VIII.109.
159 IX.1.
160 VIII.109-114.
161 IV.239.
162 11.96.
163 IV.247.
164 11.96.
165 p. 106.
166 I.158.4-5.

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faggots heaped ten fold so that it may not burn him and that the rivers in which he was thrown bound hand and foot may not engulf him. These prayers are regarded by some as a reference to the ordeal by fire and water. Yet in those verses there seems probably no reference to ordeals but to the cruel treatment accorded to Dīrghatama by his Dasas headed by Traitana. In fact the term ordeal does not appear to have been found until in the later literature[167] but several references to the practice of ordeals were seen in Vedic literature. Several western scholars found reference to the fire ordeal in the Atharva-veda.[168] This does not probably prove anything conclusively although the verse lend some support to the fact.[169] The Pañcaviṁśa or Tāṇḍya Brāhmaṇa refers to the story of Vatsa who was abused by his step brother that the former was the son of a Śūdra women, against which Vatsa protested and urged that he was a Brāhmaṇa. In order to prove the truth of his assertion he had entered a fire and came out of it unscathed. This seems to have been referred to by Manu,[170] and may probably be treated as the earliest and clearest reference in the ancient Sanskrit literature about fire ordeal. Next comes the reference to holding in the hand the heated head of an axe by a person accused of theft to prove his innocence as contained in the Chāndogya Upaniṣad.[171]

Āpastamba[172] says that in case of doubt, judges should decide from signs i.e., by inference or divine proofs (ordeals). In another place[173] he states that after carefully considering the charge

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167 Macdonell & Keith, Vedic Index, Vol.I, p. 364-5.
168 II. 12.
169 Kane, History of Dharmaśāstra, Vol.III, p. 361.
170 VIII.116.
171 VI.16.1.
172 II, 11.29.6.
173 II.5.11.3.

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before him by means of divine proof and questioning of witnesses the king should set about awaring punishment. Śaṅkha-Likhita[174] prescribes four ordeals viz., those of balance, poison, water and holding red hot iron. Manu[175] mentions only two viz., the holding of fire i.e. red hot iron in the hand or plunging in water but Nārada[176] states that Manu declared five kinds of ordeals.[177] Yājñvalkya,[178] Viṣṇu[179] and Nārada[180] may have mentioned about five ordeals viz., balance, fire, water poison and kośa (consecrated water). Nārada[181] however knew of two more viz., taptamāṣa and taṇḍula. Bṛhaspati[182] and Pitāmaha[183] seem to have spoken of nine kinds of ordeals. Yājñvalkya,[184] Viṣnu,[185] Nārada,[186] Kātyāyana[187] and Śukra[188] seem to have referred to several ordeals. The ordeals of poison, water, balance and fire had attained widespread recognition in the early centuries of the Christian as it may from the fact that the drama Mṛcchakaṭika[189] expressly named those ordeals. The same four ordeals appear to have been referred to by Bāṇa in his Kādambarī.[190] Hieun Tsang also mentions only four types of ordeals.

Objection to the validity of such ordeals has been raised on the ground that fire and water are as natural forces that act in a uniform way and would not discriminate between persons who are guilty or innocent. Therefore the ordeals and oaths may be treated like magic

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174 p. 574. 175 VIII.114. 176 IV.251.
177 Kane, History of Dharmaśāstra, Vol.III, p. 362.
178 II.95. 179 IX-XIV. 180 IV.252.
181 IV.343 and IV.337.
182 Sacred Books of the East, Vol.33, p. 315 verses 4 and 5.
183 Aparārka pp. 628, 694 respectively.
184 II.95-113. 185 IX-XIV. 186 IV.239-348. 187 411-461.
188 IV.5.233-270. 189 Act.IX.43. 190 Para 47.

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which would be used to frighten the parties into telling the truth. Thieves may, by some trick, not be burnt in the fire ordeal while good men may suffer from burns. The usefulness of ordeals cannot however be negatived by examples of failures as those happened on rare cases. Just as one relies on witnesses in deciding a matter, so reliance can also be placed on ordeals, when ordeals fail, it may be held to be due to the results of the performer's action in the past lives. The general rule for which ordeals were supposed to have been prescribed, appear to have been stated by Yājñvalkya,[191] Nārada,[192] Bṛhaspati[193] and Kātyāyana[194] who suggest that ordeals were to be resorted to only if no human evidence such as, witness, documents, possession or circumstantial evidence were available. Kātyāyana prescribes that if one party has reliance on human means of proof and the other on divine proof, the king or judge may accept human means and not the divine means. If human means of proof was able to establish only a part of the allegations in the plaint, then human means should be accepted and no divine modes of proof should be tried even though they may not completely cover all allegations. When Nārada[195] states that divine manner of proof may be employed to when a transaction takes place in a forest, in a lonely place, or at night inside a home. Kātyāyana[196] prescribes that trial by ordeals may be resorted to in the case of persons accused of committing Sāhasa in secret i.e., by wearing masks where no human evidence may be available. He[197] however states an exception to this and says that when the dispute investigated was

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191 II. 22.
192 II.29 and IV. 239.
193 II, p. 95.
194 217.
195 II.30 and IV.241.
196 230.
197. 229.

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either a sahasa or assault, abuse and defamation and in causing such the use of force may have been applied. Kātyāyana recommends an option as to the taking of witness or divine proof in deciding the matter in dispute. Nārada[198] states that divine proof could be resorted to when the chastity of women was involved, in theft and sāhasa and in all cases of monetary liability. Sītā's ordeal of fire at once comes to mind as an illustration of Nārada's rule. Kātyāyana[199] and Visnu[200] however refer to the general rule and say that the ordinary rule was that ordeals were required to be administered to the defendant. While Yājñvalkya[201] suggests an alternative to the effect that any of the two litigants may by mutual agreement undergo an ordeal and the other should agree to pay on defeat a fine or undergo physical punishment. This means that human proof may be used to prove a positive proposition while divine proof may be resorted to prove negative proposition. Yājñvalkya[202] further prescribes that the ordeals of balance, fire, poison and water were required to be administered in disputes of great value and not elsewhere. He[203] further suggests that all claims above 1000 paṇas (of copper) may be regarded as of great value but any one of these four ordeals may be resorted to without regard to value and without any offer to pay fine on defeat in cases of charges of treason and of the committing of any one of the five grave sins (mahāpātakas). Similarly these four ordeals were required to be offered to the defendant where the plaintiff agrees to pay a fine on defeat. The ordeal of Kośa has been allowed in all claims whether of high value or low value or whether the plaintiff offers to pay a fine on defeat or not.

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198 IV.242. 199 411. 200 IX.21.
201 II.96. 202 II.95. 203 II.99.

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Yājñvalkya[204] states that the ordeal of balance may be applied to women, a minor under sixteen years of age, a very old who appears to be above eighty, the blind, the cripple, brāhmaṇas and the deceased. He prescribes the fire ordeal i.e., holding of heated plough share and heated māṣa for Kṣatriyas, water ordeal for Vaiśyas, and poison for Śūdras. Nārada[205] also assigned ordeals to the people belonging to different varṇas like that of Yājñvalkya. Nārada[206] further restricts the application of ordeals to those who are observing a vow and performing austerities besides the distressed and women. Kātyāyana[207] holds that persons belonging to higher castes such as cowherds, traders, artisans, bards, domestic servants and usurers should be given ordeals as if they were Śūdras. He[208] further allows the application of all ordeals to members of all castes except Brāhmaṇas to whom the application of poison ordeal may be forbidden. Kātyāyana[209] also says that ordeal of fire should not be offered to blacksmiths or those who happened to be suffering from leprosy. It seems that the application of fire ordeal had been forbidden for those who suffered from leprosy since the rule probably sprang from the fact that fire was an emblem of purity to which offering of impure substances would accrue sins. Nor the water ordeal would be applied to those who were engaged in the service of plying boats for it seems apparent that they were supposed to know the mysteries of water for which application of water ordeal would be of no avail to them. Kātyāyana further disallows the application of water ordeal to those who suffer from difficulty in

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204 II.98.
205 IV.335.
206 IV.256.
207 423.
208 422.
209 424-426.

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breathing or cough nor poison to those who may be supposed to be experts in cautations and yogic practices. Those who suffer from bile or phlgem are not fit to undergo water ordeal. The application of ordeal of Kosa as suggested by Kātyāyana was restricted to those who are drunkards and to those also who are fond of women. The kośa ordeal seems to have been disallowed in case of gamblers and also atheists. Viṣnu[210] and Nārada[211] appear to have stated identical view as those held by Kātyāyana who further provides a list of persons who were not fit to undergo personally any one of the ordeals such as those charged with murder of their father, mother, a Brāhmaṇa, their teacher, a woman and the king.

Kātyāyana[212] lays down some remarkable provision in which he identifies those persons as having committed crimes such as untouchables, men of lowest castes, slaves, mlecchas and those who were the product of mixed unions.

In the ordeal described by Hieun Tsang the accused may be placed in a sack connected with a stone vessel and thrown into deep water. If the man sinks and the stone floats, he may be supposed not guilty ; if the man floats and the stone sinks then he may be declared innocent. The procedure of water ordeal which Hieun Tsang has described[213] does not tally with the description contained in Smṛtis and digests. An arch as high as the ear of śodhya would be required to be constructed on the bank of the water reservoir on an even and cowdunged plot. The śodhya

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210 IX.25.29. 211 IV.255.332. 212 453.

213 Beal's Buddhist Records of the Western World, Vol.I, p. 84. and also Watter On Yuan Chwang's Travels in India, Vol.I, p. 172.

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should offer worship to Varuṇa (Lord of water) to be constructed by a bow of middling size and three arrows with sandal paste, incense, lamp and flowers. A target would be required to be fixed at the distance of 150 hastas (cubits) from the toraṇa. A post of some sacred tree may be fixed in water and a strong man of one of the three higher castes free from love or hatred for the Sodha would be required to stand in a navel deep water facing east and holding the post. Then the judge would be required to make the Śodhya stand in the water, invoke the deities from Dharma to Durgā, perform all the rites upto the placing of the writing on the head of the Śodhya. A Kṣatriya or a Brāhmaṇa of pure heart following the profession of arms after observing a fast should discharge, while standing near the root of toraṇa, three arrows at the target.

Yājñvalkya prescribes that the Śodhya would be required to invoke water with the mantra '0 Varuṇa' save me by means of truth'. Then a young but swift man should run to the spot where the second struck the ground and stand there holding that arrow in his hand. Another swift man would be required to stand at the root of the torana when the arrows were discharged. Then the judge would clap his hands thrice. At the third clap the Śodhya would dive into the water seizing the tighs of the man standing in the water and at the same time the swift man near the arch would run at his best speed to the place where the second arrow fell. The other who held the arrow would start off the moment the first runner reached him and came running to the arch. If he would not see the Śodhya or see only his head i.e., the back of the head when he reached the arch, the suspected person would be declared innocent, but if the other parts

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of Śodhya's body would become visible or if the accused floated with some parts visible other than one where he dived, he also proved himself innocent.

According to Hieun Tsang 'The fire ordeal requires the accused to kneel and tread on hot iron, to take it in his own hand and lick it ; if he is innocent, if he is not hurt ; but if his feet is burnt he would appear to be guilty. There is interesting description of fire ordeal as we get from the Indian texts. According to this description nine circles with cowdung were required to be drawn from West to East, the circles drawn were meant for Agni, Varuṇa, Vāyu, Yama, Indra, Kubera, Soma, Savitṛ and all gods. Each circle was to have a measure of sixteen aṅgulas in diameter and the space between the two circles was to be sixteen aṅgulas. In each circle kuśa grass was required to be spread and the person to be tested was to place his feet on them ; ghee was to be offered into fire for 180 times. A blacksmith by birth should heat in a fire a ball of iron weighing 50 palas[214] (16 palas in the case of weakman) and aṅgulas in length till it becomes red hot and emits sparks. Yājñvalkya[215] and Viṣnu[216] suggest that the ceremony would end with the placing of the writing on the head of the Śodhya. The Judge was to conduct the fire was to be invoked with several mantras. The Śodhya should stand in the first circle facing the east. Having made red marks on all sores of the hands of the Śodhya on which grains of rice had been rubbed, the Judge should place seven leaves

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214 A Pala weighed 320 guñjās according to Lilāvatī (I.4). According to Divyatattva (P.608) 20 Palas were equal to 66 tolokas five māṣas and 4 Guñjās, which, while accepting his view that a pala may be equal to 320 Guñjās gives rather modern measurement into tolakas (tolas).

215 II. 104.

216 XI.11-12.

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of the aśvatha tree on them and also grains of rice and curds and fasten the leaves round them with threads. Then the judge should carry the red hot iron piece by means of a pair of tongs and place it in the hands of the Śodhya whose hands were required to be covered with leaves. Then the Śodhya holding in both his hands the red-hot piece should walk from the first to the eighth circle not hurriedly but slowly and at ease. Having reached the eighth circle he should throw the red hot iron piece on to the ninth circle. The the Judge should rub on the hands of Śodhya with rice grains and when the latter would show no hesitation at the rubbing and no injury on his hand was found at the end of the day he would be declared innocent. Kātyāyana[217] and Yājñvalkya[218] provide that if the red hot piece falls earlier i.e. before reaching the 8th circle or if there would be any doubt as to his injury or if he had lost his footing or would be burnt elsewhere than on the hands, he should again undergo the ordeal.

In the weighing ordeal of Hieun Tsang we find that "the accused is weighed against a stone ; and if the latter is the lighter the charge is false, if otherwise it is true".[219] According to the Indian text the description of tulā or dhata or the balance ordeal runs thus : A sacrificial tree such as Khadira or Udumbara should be cut to the accompaniment of Vedic mantras. Two wooden posts made of either Khadira or Udumbara should support a tranverse beam called akṣa. The post should

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217 441.

218 II.107.

219 Watters on Yuan Chwang's Travels in India, Vol.I, p. 172.

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be fixed in the ground, the exposed part of the posts above the ground should be of four cubits and that beneath the ground should be of two cubits. This frame should face the east i.e. the posts may be installed facing the south and the north. Then the beam of the balance was to be made from the same tree and was required to be suspended from the transverse beam of the frame by means of a hook. Three iron rings were to be fastened to the beam of the balance, two at the end and one in the middle for suspending the balance from the transverse beam by means of a chain or string. Two scales were to be suspended at the ends of the beam by hooks and strings from the iron rings fixed at the ends of the beam and on the two sides of the balance there should be two arches in which the scales should move and which should be ten angulas higher than the balance. There should be two perpendicular pendants made of clay hanging down from the arches and touching the upper surface of the balance. The Sodha should be placed and weighed in the pan hanging in the west against a clay, bricks and stones placed in the other pan. Then the traders or goldsmith or brazers should examine the balance and bring it on a level with two pendants hanging down from the arches and examine the perfect horizontality of the beam of the balance by spilling a little water on the beam. When the person sitting in one pan would be equal in weight to the materials in the other, a line should be drawn with the chalk by the experts on the arch to show the exact position of the pans. Yājñvalkya[220] states that the man would then be allowed to get down from the pan and would be required to invoke the balance 'O balance you are the abode of truth, you were created by the God for this purpose, declare the truth, free me from this cloud of suspicion, Mother !

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220 II.101-102.

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if I am a sinner then take me lower, if I am pure take me upwards'. Nārada[221] and Viṣṇu[222] prescribe that the person would be required to hear exhortations about the result of untruth after putting the writting on his head. Nārada[223] and Viṣṇu[224] further say that the person would again be placed in the pan to the accompaniment of invocations. A worthy Brāhmaṇa supposed to be learned in astronomy would calculate the time of five palas or vināḍis.[225] Then his weight would be taken and if the person's weight be found lighter than what he formerly weighed, according to Nārada[226] he would be declared innocent. But if his weight would be found equal, Brhaspati[227] suggests that he should be weighed again. If the pan or the beam or the hooks broke or the ropes gave way owing to some visible cause then the procedure was to be repeated, but if the breaking would be due to an unseen cause or accident, the person was to be declared guilty.

In the poison ordeal according to Hieun Tsang[228] the right hind leg of a ram was required to be cut off according to the portion assigned to the accused to eat, poisons were put into the leg and if after taking the poisonous meat the man would be found surviving, he would be declared innocent and if not the poison reacted and would take the life of the accused.[229] In Indian text the procedure of the application of poison ordeal would be preceeded with the worshipping of

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221 IV.276.
222 X. 9.
223 IV. 278-279.
224 X. 10-11.
225 A Vināḍi may be the time required for reciting sixty long syllables and sixty vināḍis make one ghatikā. So five vināḍis will be equal to two minitues.
226 IV. 283.
227 Buhler, Sacred Books of the East, Vol.33, p. 317,V.19.
228 Beal's Buddhist Records of the Western World, Vol.II, p.141.
229 Watters on Yuan Chwang's Travels in India, Vol.I, p.172.

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Maheśvara with incense.* Poison placed before the image of Śiva would be required to be administered in the presence of Gods and Brāhmaṇas Viṣṇu[230] and Nārada[231] prescribe that the poison to be derived either from Śṛnga plant or from Vatsanābha and haima vata was to be used while Yājñvalkya[232] appears to have prescribed Śāruga growing on the Himalaya as the poison to be selected. In the rains the quantity of poisons would be six yavas in weight, in summer five, in hemanta seven or eight and in autumn less than the latter. Poison was to be administered in the last watch of the night and never in the noon or afternoon or twilight ; it was required to be mixed with ghee thirty times as much. Viṣṇu[233] and Nārada[234] further prescribe mantras with which the judge would be required to invoke the poison. Yājñvalkya informs us that Sodhya would also be required to repeat that mantra before taking poison, 'O poison, thou art the son of Brahmā, thou art firm in the duty of deciding the truth. Save me from this accusation and be like necktar to me by truth if I be innocent'. Nārada[235] states that the Sodhya would then eat the poison. He should be kept in shade without food and guarded the rest of the day and if he had no signs of the effect of the poison, he should be declared innocent and vice versa. It will be noticed that these descriptions of the four ordeals do not agree in several respects with the descriptions contained in the Smṛti texts and digests.

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* It is quite appropriate that Śiva should be worshipped on the occasion of the poison ordeal since according to the Purāṇic mythology, he had swallowed the hālāhala poison produced at the churning of the ocean.

230 XIII.3.
231 IV.322.
232 II. 111.
233 XIII. 6-7.
234 IV. 325.
235 IV.326.

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Ordeals seem to have played important part in the judicial systems of most ancient countries. In Early England handling of red-hot-iron and plunging the hand in boiling water were the commonest ordeals. In the ordeal of sinking in water appears to have been a sign of innocence and floating a sign of guilt. In England the ordeal of water suggests that it was a form of honourable suicide.[236] In India there appears epigraphic and other evidences to show that ordeals were resorted to till the end of the 18th century and sometimes even later. The Visnukundin king Mādhavavarman in the 7th century A.D. appears to have tried various ordeals (avasita-vividah-divyah).[237]

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236 Stephens, History of Criminal Law of England, Vol.I, p. 73.

237 Journal of the Andhra Historical Research Society, Vol. VI, pp. 17, 20, 24.

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APPENDIX

THE CUSTOM OF SATĪ : A STUDY OF CLASSICAL INDIAN ACCOUNTS

Diodorus Siculus[1] a well known classical authority while describing marriage systems noticed in India, first draws our attention to a law which according to him had required Indian wives to be burnt along with the dead body of their husbands provided such wives had no children nor were they pregnant at the time of their consorts. Onesicritus[2] who was another Greek writer spoke of this practice as specially a custom of the Kṣatriyas. Aristobulus[3] also has mention about the same practice which was prevalent among certain tribes according to which wives were glad to be burned along with their deceased husbands. He further says that those who would not submit to this requirement were held in disgrace. From the statement of Siculus it appears that those who had children or had been carrying were allowed to remain outside the scope of the law. Siculus further gives us an interesting information about the origin of this law. He[4] observes thus : "It was an ancient law among the Indians that when young men and maiden were minded to wed, they did not marry according to judgement of their parents, but by mutual consent. But when in these old times espousals were made between persons of immature ages, mistakes of

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1 Majumdar, Classical Accounts of India, p. 240.
2 Strabo XV, C. 700.
3 Aristobulus, Frag. 34 = Strabo XV, C. 714.
4 Majumdar, Classical Accounts of India, p. 240.

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judgement were of frequent occurrence, and both sides repented their union, many of the women became depraeved and through incontinnence fell in love with other men, and when at last they wished to leave the husbands they had first chosen, but could not in decency do so openly, they got rid of them by poison. But when this neferious practice had become quite prevalent, and many lives had been sacrificed, and when it was found that the punishment of the guilty had no effect in deterring other wives from their career of iniquity, they passed a law ordaining that a wife, unless she were pregnant, or had already borne children, should be burned along with her deceased husband, and that if she did not choose to obey the law she should remain a widow to the end of her life, and be "forever excommunicated from the sacrifices and other solemnities as being an impious person". Although Strabo[5] holds an identical view with that of Siculus, his observations seem slightly different since the latter was of opinion that the laws enacted meant for the country of the Catheans and thus goes on to describe the reason for enacting such laws as the groom and bride choose one another for themselves., Wives are burned along with their deceased husbands for the reason that they sometimes fell in love with other young men and deserted their husbands or poisoned them. That is why the Catheans established this as a law, thinking that they would put a stop to such poisoning of husbands.

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5 Majumdar, Classical Accounts of India, p. 259.

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The observations of Siculus and Strabo undoubtedly refer to a law by which a woman had to burn herself along with her husband if she did not possess any children. Such observations however have not been corroborated by any Indian texts. It seems that both the Greek writers had probably based their comments on the custom of Sati prevalent in India although they do not mention the custom by that name. The burning of widows was not peculiar to the Indians since the custom owes its origin to some very old religious views and superstitious practices among many primitive communities of the world. The practice of widow burning or killing of widows appear to have been a common custom among Sumerians, Egyptians, Chinese, Syrians, Teutonic tribes, the Slavs and other races but the practice was generally confined to the upper strata of the society particularly amongst the princes and nobles.[6] Not only widows of the dead were burnt but also other human beings were killed as offerings to the dead in the belief that those who sacrificed their lives would serve the deceased as their companions or servants or to vivify their spirits in the other world or in order to gratify their craving for revenge.[7] The rite seems to have occurred more or less extensively in Borneo[8] and the Phillipine islands,[9] in Melanesia and Polynesia[10] and also in many different parts of Africa[11] and among some American tribes.[12] In America, the practice of human sacrifice

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6 Kane, History of Dharmasastra, Vol.II, Part I, p. 625.

7 Westermarck, The Origin and Development of the Moral Ideas, Vol.I, Second edition, 1912, p. 472.

8 Brooke, Ten Years in Sarawak, i, p.74.

9 Quoted in Westermarck's Origin and Development of the Moral Ideas, Vol.I, p. 472.

10 Ibid., p. 125.

11 Rowley, Africa Unveiled, p. 127.

12 Spencer, Principles of Sociology, Vol. I, p. 204.

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on the occasion of death of an important person can well be traced among the tribal people. A good example may be taken from the Osages, whose habit was sometimes to plant in the Cairn raised over the corpse a pole with an enemy's scalp hanging to the top. Their notion was that by taking an enemy and suspending his scalp over the grave of a deceased friend, the spirit of the victim became subjected to the spirit of the burried warrior in the land of the spirit. Hence the last and best service that could be performed for a deceased relative was to take an enemy's life and thus transmit it by his scalp.[13] This idea appears to have coincided with the custom followed by the Dayaks who considered that the owner of every human head they could procure would serve them in the next world where a man's rank would be determined according to the number of heads he had in possession. The Dayaks would continue the mourning for a dead man till a head was brought in to provide the dead with and a slave to accompany him to the 'habitation of souls'.[14] A father who lost his child would go out and kill the first man he met, for killing would be part of his funeral ceremony, a young man would not marry till he had procured a head and it was the custom of some tribes to bury with a dead man the first head he had taken together with spears, cloth, rice and betel. Waylaying and murdering men for their heads became in fact the Dayak's national sport and a common usage among them is known to have stated as follows :

"The whitemen read books, we hunt for heads instead".[15]

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13 J.M.Coy, History of Baptist Indian Missions, p. 360.

14 Tylor, Primitive Culture, p. 459.

15 Dalton, Descriptive Ethnology of Bengal, p. 67, and Tylor, Primitive Culture, p. 459.

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There exists ample evidences to show that the funeral ceremonies of the ancient Egyptians occasionally included human sacrifice at the gate of Tomb, although it had been stopped after Egypt had entered upon her period of greatness.[16] It also appears that in China the furial of living persons with dead dates back probably to the darkest mist of ages. In the 14th century of the Christian era, the funeral sacrifice of men was abolished,[17] in China. This was not practised even in case of Emperors and members of the imperial family but it seems to have assumed a modified shape under which it continued for long in China. There, if a widow would kill herself in order to follow her husband to heaven, her corpose was taken out in a great procession.[18] Daughters, daughters-in-law and widows who were imbued with the idea that they were the property of their dead parents, parents in law and husbands and as a matter of that owe them the highest degree of submissive devotion, would often taking their lives in order to follow those reversed persons into the next world".[19]

Widows immolating themselves as SatI in India also received the same applaud as elsewhere and many women no doubt were prevailed upon or even compelled by her own relations to become a "Suttee".[20] Prof. Schrader[21] observes "it is no longer possible to doubt that ancient Indo-Germanic custom ordained that the wife should die with her husband." It appears that burning of widows probably started quite late in India

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16 Wiedemann, Ancient Egyptian Doctrine of the Immortality of Soul, p.62 n.

17 Westermarck, Origin and Development of A Moral Idea, Vol.I, Second edition, 1912, p. 473.

18 Towney, Kathā Sarit Sāgara, Vol. IV.

19 Ibid., p. 473.

20 Hopkins, Religions of India, p. 274.

21 Schrader, Prehistoric Antiquities of the Aryan People, p. 391.

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and the practice seems to be not a new invention by the later Hindu priesthood but it was simply a revival of an ancient rite belonging originally to a period even earlier than the Vedas,[22] since the traces of widow sacrifice may be found in various regions of the world under a low state of civilisation. The rite of immolating the widow in India appear to have also been present among such ancient Āryan nations settled in Europe such as the Greeks, Scandinevians, Germans, Slavs etc. from some remote antiquity. It is quite possible that the custom of sacrificing ones wife at the death of her husband's existed among the Āryans during Indo-European period. By the time the Āryans entered India, the custom had gone out of vogue. In India the expression 'burning of widows' transforms itself into self-immolation of widows which probably sprang up out of the sentiments of love and reverence for the husband but in Europe the sentiment of burning of widows probably had its origin form a belief that the persons left behind on the earth were the property of the deceased and to have the same pleasure which he had been enjoying in the living world, the property of the dead person ought to accompany the deceased to satisfy his needs in the other world.[23] The expression 'Satī' undoubtedly signified those who burnt themselves in the funeral pyre of the husband and those wives particularly on account of self immolation had been considered as the most devoted, unassailably chaste and hence known as Sati. This could be unquestionably determined if the widow chooses to die out of her own accord along with her husband.

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22 Tylor, Primitive Culture, p. 465.

23 A.S. Altekar, The Position of Women in Hindu Civilization, p. 115.

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The reasons that led to the discontinuation of Sati custom in the Vedic age can be inferred. Probably the finer cultural outlook, that the Vedic Āryans had developed by this time had convinced them that the custom was a barbarous one. It seems that they probably found themselves in minority in India and felt the necessity to increase their population in order to ensure their political domination. Instead of allowing widows to be burnt, they thought that it would be better to encourage them to live and increase population by levirate or re-marriage.

Some scholars appear to have been of the opinion that the custom of burning of widows was sanctioned by the Vedic texts since certain verses of the Ṛgveda and the Atharva-Veda seem to have contained ample testimony in favour of the custom which had been approved by the Ṛgveda. The first two verses of a hymn of the tenth book of the Ṛgveda (Rg. X.18-7-8) which happens to be the part of a funeral hymn state as follows :- 'Let these women who are not widows and who have good husbands, set down clarified butter used as Collyrium, may the wives who are tearless, free from disease and wearing fine jewels (or clothes) occupy the seat in front (first). O Woman ! raise yourself towards the world of the living ; you lie down near this departed (husband) ; come, this your wifehood of the husband who (formerly) held your hand and who loved you has (now) been fulfilled". Sayana understands the latter half of the hymn as an invitation by the husband's brother to the wife of the departed to marry him. But that meaning does not appear to have carried proper force of the expressions 'hastagrābhasya' 'patyuḥ' and 'babhūtha'.[24] The Āśvalāyanagṛhya-sūtra[25] prescribes that

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24 Kane, History of Dharmaśāstra, Vol.I, Part I, p. 617.

25 IV.6.11-12.

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in the expiatory rite performed on the death of an elder the young women relatives should salve their eyes with butter with their thumb and fourth finger and with tender darbha blades and then throw the blades away, when the performer of the rite should look at them while they are salving their eyes with the verse 'imānārīr &c'.

The same Sūtra[26] further says that 'where a body is to be cremated they should place the wife to the north of the body and a bow for a Kṣatriya (if he be the dead person) and then her brother in law or some one else who can be representative of her husband or a pupil or an old servant should make her rise with the mantra 'udirsva'. The Śāṅkhyāyana Śrauta Sūtra[27] also directs that the verse of the ṚgVeda (Rg. X.18.7) may be repeated when the eyes of women are touched with blades of Kuśa grass. We come across another mantra in the Atharva-veda[28] and the Taittirīya Āraṇyaka[29] as follows :- "Oh (dead) man ! this women choosing the world of the husband lies down by thee, the deceased, observing the universal custom, bestow on her in this world offspring and wealth". The first verse of the ṚgVeda (Rg.X.187) does not appear to have contained anything about Niyoga or re-marriage. It has been made use of in order to provide Vedic sanctity to the practice of Satī.

The verse eighteen of tenth book of the ṚgVeda refers to the fact that young women of the household of the departed would go to the cemetry and apply clarified butter to their eyes by way of purification and śānti ; this practice seems to have continued to the days of

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26 IV.2.16-18.
27 IV.16.16.
28 18.3.1.
29 VI.1.

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Āśvalāyanagṛhya-sūtra, the Bṛhaddevatā[30] and the Baudhāyana pitṛmedhasūtra[31]. The two verses 'iyam nārī' and Ṛg.X. 18.8 had been quoted by the Baudhāyana pitṛmedha sūtra[32] to be used in connection with funeral rites, the first was required to be repeated when the wife had taken her sit near the corpse and the next when she would rise. It may be noted here that Baudhāyana had suggested that the corpse may be placed on the funeral pile after the wife has been made to rise from the vicinity of the corpse. The Bṛhad-devatā advises that the wife may be allowed to ascend the funeral pyre after the corpse has been placed thereon. After that the younger brother of the deceased commands her to rise up with the verse 'udīrṣva &c'. But the Bṛhaddevatā[33] does not probably mean that the wife should burn herself on the funeral pyre and the brother-in-law contents himself with only repeating a verse to disuade her. The Ṛg-vidhāna[34] says that the brother-in-law should call back the wife of his sonless brother for procreating a son on her (Ṛg.X.18.8) when she has taken a step to ascend the funeral pyre. The verse of the ṚgVeda (Ṛg. X.18.8) referred to above probably indicates that in hoary antiquity a wife used to burn herself along with her husband. But by the times of the ṚgVeda this practice had been totally discontinued, but a symbolical performance of it had come into vogue. This could be asserted from the fact that the wife had to lay down near the corpse of her husband in the cemetry and then she was asked to get up. She was told that by following her husband to the very door of death, she had fulfilled all that was expected of her and that she should now return back.

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30 VII. 12.
31 I.211.11.
32 I.8.7.
33 VII.13.
34 III.8.4.

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The same idea appears to have been referred to be the verse 'iyam nārī', but the latter half of the hymns appears to refer to the practice of Niyoga when it calls upon the deceased to bestow on the wife offspring and wealth.[35] Neither of these verses appear to have expressly referred to the practice of Satī at all. Those at the most might lead to the inference that the woman had either to marry the deceased husband's brother or go in for Niyoga because the husband died sonless. It may be noted here that there exists no Vedic passage which can be referred to as an incontrovertible proof that widow burning was prevalent in the Vedic period nor there seems to have any mantra which could have been repeated in the Vedic days on the occasion of such burning. The ancient gṛhya-sutras do not appear to have contained any direction prescribing the procedure of widow burning. Raja Radhakanta Deva seemed to have relied on two verses which he found in Aukhya Śākhā of the Taittirīya Saṃhitā quoted in 84th Anuvāka of the Nārāyaṇīya Upaniṣad as the most explicit authority for widow burning.[36] These passages of the texts do not appear to have revealed correct state of things as to the custom of Satī.[37]

From ancient times many tribes and peoples have settled in different parts of the country. Many of such tribes had been outride the pale of Vedic culture and religion. It may not be unreasonable to imagine to imagine that Satī was prevalent in India from a hoary fast if not among the Vedic people, at any rate among some of the non-Vedic peoples of the age. The custom of Sati may have gone out of vogue among the Āryans at

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35 Kane, History of Dharmaśāstra, Vol.II, Part I, p. 619.
36 H.H. Wilson's works, Vol.II, Pp. 293-305.
37 Kane, History of Dharmaśāstra, Vol.II, Part II, p. 625.

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the time they had entered India as we find no traces of it whatsoever down to about C.400 B.C. The Brāhmaṇa Literature dateable from (C.1000 B.C. to 700 B.C.) seems to be quite silent about it. The Sūtra literature (C. 600 to C. 300 B.C.) appear to have described numerous Saṃskāras and rituals but the custom of Satī does not find any mention thereon. The Āśvalāyana-gṛhya-sūtra,[38] states that the widow was to be brought back from the funeral pyre, either by her husband's brother or a desciple, or by an old trusted servant. From the Taittirīya Āraṇyaka[39] it is found that while returning from the funeral pyre, the widow took away from her husband's hand objects like bow, gold, jewels etc. A hope was then expressed that the widow and her relatives would lead a happy and prosperous life.

The Buddhist and Jaina literature also appears to be quite unaware of the custom of Sati. If it had existed in the days of Buddha, one feels certain that the great Śākya sage would not have remained silent about it. He who opposed sacrifices to gods, because dumb animals were immolated therein, would certainly have been exasperated by a custom which entailed the burning of human beings alive. It may not be unreasonable to conclude that even in Kṣatriya circles the customs was not widely prevalent in the early age. Megasthenes and Kauṭilya do not appear to have made any mention about the custom. The Manusmṛti seems to be entirely silent about it. The Viṣṇu-dharma sūtra[40] quoted by Mitākṣarā on Yājñvalkya[41] is however found to state that on her husband's death the

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38 IV. 2, 18.
39 VI,I.
40 25-14.
41 I.86.

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widow should observe celibacy or should ascend the funeral pyre after him. The Ādiparva[42] seems to be very sparing in its references to widow burning. Mādrī, the favourite wife of Pandu is stated to have burnt herself with her husband's body. In the Virāta-parva of the Mahābhārata, the relatives of KicMaka wanted to burn Sairiudhrī, who was none other than queen Draupadi in disguise, along with the dead body of KicMaka. The Harṣa Carita[43] describes how many of the king's friends ministers, servants and favourites had killed themselves on the death of Prabhākara Vardhana. The Rājataraṅginī[44] narrates how when the queen of Ananta became a Satī on her husband's death, her litter carrier and some other men and three of her dasis followed her in death. The historical Kāvya[45] also furnishes an instance of a mother burning herself on the funeral pyre for her son. From the Mudrā-Rākṣasa[46] it appears that friends often consigned themselves to fire or hanged themselves for the sake of a friend. The Musalaparva[47] of the Mahābhārata says that four wives of Vasudeva viz., Devakī, Bhadrā, Rohiṇī and Madirā burnt themselves in the funeral pyre of the deceased Yādava hero and that Rukminī, Gāndharī, Śaibyā, Haimavatī, Jāmbavatī among the consorts of Kṛṣṇa burnt themselves themselves alongwith his body and other occurs like Satyabhāmā went to the forest for performance of tapasyā,[48] but there were thousands of Yādava widows who survived their husbands.

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42 95.65 and 125.29
43 V. 3rd para from end.
44 VII. 481.
45 VII. 1380.
46 Act VII.
47 7.18.
48 Chap. 7. 73-74.

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It has been stated that suicide at holy places like Prayāga was practised for the attainment of heavenly worlds and bliss. Such evidences would prove life was deemed of little consequence in those ages. The death of women or men on the funeral pyre of the husband or the master appears to be quite gruesome. But it did not appear to be the same to the ancients. Satī does not appear to have been a practice imposed by priests or men on unwilling women.

The practice of burning the widow along with the dead husband was at the outset confined to kings and nobles because the lot of the wives of departed kings and warriors could be quite miserable, particularly if there was possibility of the departed hero being killed in a loosing war. Vengeance for the truculence of their husbands could be wreaked on the poor wives by carrying them away as captives and making them work as slaves. Manu[49] appears to have allowed a soldier to retain women (probably slaves) conquered by him along with other booty of a war. When Yaśomati narrated to her son Harṣa the Great honour and glory that was hers during the reign of her husband the king Prabhākara-vardhana, she referred to the wives of the enemies defeated by her husband who used to waved Chowries over her.[50] The Viṣnu purāṇa[51] also says that eight queens of Kṛṣṇa, Rukmiṇī and others entered fire on the death of Kṛṣṇa. The Śāntiparva[52] of the Mahābhārata describes how a Kapoti (female pigeon) had entered fire on the death of her husband, the male bird. This passage appears to have been quoted in the Mitākṣarā on Yājñavalkya[53] in support of the plea that Satī may be enjoined and

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49 VII.96.
50 V.
51 V. 38.2.
52 Chap. 148. 10-12.
53 I.86.

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this would lead to great bliss in the other world. As against the above few well known cases of Satī, there are scores of instances in which the widow had survived their husbands. The wives of Abhimanyu, Ghatotkaca and Drpṇa did not become satīs. In the Kādambarī, Bāṇa refers to the case of Uttarā in justification of the conduct of Mahāśvetā in prevailing upon her not to immolate herself at the death of her lover. According to as the version of the Mahābhārata current in the island of Bali, Uttarā the consort of Abhimanyu is known to have performance the Satī rite. The reason of this discrepancy seems to be obvious because this version had been compiled when the custom of Satī had become popular.

If four wives of Vasudeva became Satī, there were numerous Yādava widows who had accompanied Arjuna to Hastināpura. In the Strparva of the Great Epic there is mention of the mortuary rites performed for the fallen Kauravas, but no mention is found to have been made in the text about any widow immolating herself on the funeral pyre, although the chariots, clothes and weapons of the warriors had been consigned to fire. The Venīsaṃhāra[55] a well known drama attributed to Kālidāsa refers to the case of a Satī on the Kaurava battlefield but it seems quite clear that it echoes the tradition prevalent during a later age.[56] The epic itself states that all the widows of the fallen heroes remained behind and offered them funeral oblations. Later on they appeared to have plunged into the Gaṅgā for re-uniting with their husbands in heaven. At best this might have been a way of self-immolation but the procedure had no affinity with the custom of Satī where the widow used to enter a funeral pyre. The above discussions would lead to the fact that the

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55 Act. IV.

56 Altekar, The Position of women in Hindu Civilisation, p. 121.

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practice of Satī did not exist in India during the Vedic and the post-Vedic period till when Buddha had preached his religion. Later when it had come into vogue the practice was confined to the Kṣhatriya community.

The accounts of the Greek historians also make it amply clear that it was confined to the warrior classes. The Bṛhaddevatā[57] while recognising the validity of the custom among the Kṣatriyas appears to have examined the possibility of extending the custom to other castes. The Padmapurāṇa[58] seems to have expressly prohibited the rite in case of Brāhmaṇa women. The Śristikāṇḍa of the same text declares that any person, who appears to be guilty of helping a Brāhmaṇa widow to the funeral pyre would be treated as guilty of committing dreadful and unatonable sin of the murder of a Brāhmaṇa (brahmahatyā). The Brāhmaṇa community however was accustomed to prive itself on following the most ascetic and self denying code of life. Eventually the Brāhmaṇas had probably begun to feel that they should not allow themselves to be outdistanced by the Kṣatriyas as regards the custom of Satī. The custom appears to have been followed by a few Brāhmaṇa families soon after 1000 A.D. We have seen earler how there are express commands in earlier texts prohibiting a Brāhmaṇa widow from following the practice of Satī. But authors of Śāstra texts of later age began to display their proverbial ingenuity. Once custom had started gaining root learned commentators and digest writers were found to support it with arguments and promises of rewards.

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57 VII. 15.
58 49, 72-3.

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In the original portion of the Ramayana there exists no reference to the custom of Sati. In the Uttarakāṇḍa[59] there is mention of Vedavati's mother, molested by Ravana having burnt herself in fire in remoerse. But this story cannot be taken as an instance of a widows immolating herself on the pyre of her husband. The instance may also be quite a late echo of about 500 A.D.[60] In the original Kernel of the epic[61] it is found that when Rāvaṇa, by means of his magic, had produced before the eyes of Sītā the illusion of the fall of Rāma, she had expressed her wish to be burnt along with her husband. This passage also seems to be a later interpolation, for none of the wives of Daśaratha or Rāvaṇa appear to have immolated themselves by accompanying their husbands on the funeral pyre. The Śāstras promised to a Satī rewards of the following nature : Śaṅkha and Aṅgirasa says that 'she who follow her husband in death dwells in heaven for as many years as there are hair on the human body ; viz. 3½ crores of years. Just as a snake-catcher draws out a snake from a hole by force, so much a woman draws her husband from and enjoys bliss together with him. In heaven she being solely devoted to her husband and praised by bevies of heavenly damsels sports with her husband for as long as fourteen Indras rule. Even if the husband be guilty of the murder of a Brāhmaṇa or of a friend or be guilty of ingratitude, the wife who dies (in fire) clapsing his body purifies him (of the sin). That women who ascends the funeral pyre when the husband dies may be equal to Arundhatī in her character and is praised in heaven. Arundhatī had been the wife of Vasiṣṭha. She also may be identified with

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59 17.14.

60 Altekar, The Position Women in Hindu Civilisation, p. 121.

61 VI. 32, 32.

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the little and sacrcely visible star Alcor belonging to the Great Bear and personified as the wife of one of the seven ṛsis or Vedic seers who had been turned into astral bodies and exist as Stars in the firmament. At marriage ceremonies Arundhatī is shown to the bridegroom as a model of conjugal excellence.[62] After the performance of homa which happens to be the most important rite at the time of marriage, the bride may be required to dwell for the night of the marriage in the house of an old Brāhmaṇa woman whose husband and children are alive. This rule however has no application if the bride and bridegroom belong to the same village. But if they belong to different villages and the newly wed couple had to stay somewhere for the night on their journey, then this rule had to be followed when during the night the bride has seen the pole star the star Arundhati and the seven sages (the constellation of ursa Major), she could break her silence and say "may my husband live and may I secure offspring". This indicates that after the homa is finished, the bride would have to observe silence till she sees the Pole Star.

There was no dearth of commentators who appear to have opposed the practice of Satī. Medhātithi writing on Manu[63] seems to have compared this practice to Śyenayāga which man performed by way of black magic to kill his enemy. He says that though Aṅgiras allowed anumaraṇa it may be treated as suicide and seems to be forbidden to women just as the Veda says 'Śyenenābhicaran Yajet' and yet Śyenayāga may not be looked upon as dharma, but rather as adharma and that a woman wants to go

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62 Monier William, A Sanskrit-English Dictionary, p. 88.

63 V. 157.

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to heaven quickly might act according to Aṅgiras. Still her action had been looked as aśāstriya besides not based on Śāstra. Sahamaraṇa may also be considered aśāstriya since the Vedic texts do not appear to have approved of the rite. The Vedic texts prescribes that 'one should not leave this world before one has finished one's allotted span of life". The Mitākṣarā on Yājñavalkya* does not appear to have endorsed this view. It says that Śyenayāga may be considered adharma because the object of Śyenayāga may cause injury to another. Behind Anugamana there exists a desire to go to heaven which seems to be enjoined by Śruti. Similarly the Smṛti about anugamaṇa does not seem to be opposed to the Smṛti which states that one should sacrifice a white goat to Vāyu if one desires prosperity. The Śruti text expressly forbids that 'one should not waste one's life for securing heavenly bliss which is fleeting and insignificant as compared with the supreme bliss of Brahma knowledge. As the woman in anumaraṇa desires only heaven she does not appear to have done anything contrary to Śruti texts.

Aparāka[64] the Madanapārijāta[65] and Parāśara Mādhavīya[66] appear to have followed the reasoning of the Mitākṣarā and added that the Vedic texts about the allotted span of life may be treated as a general rule while the Smṛti about anumaraṇa appears to be a special or exceptional śāstra and there exists no contradiction as it applies to all cases outside the expected one. The Madanapārijāta[67] further explains that the texts about purifying a husband guilty of Brāhmaṇa murder should not be taken literally but only as hyperbolically extolling Sahamaraṇa.

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64 p.111. 65 p. 199.
66 II, Part 1, pp. 55-56. 67 p. 200.
*. I.86.

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The Smrti Candrikā categorically says that Sahamaraṇa though recommended by Viṣṇu Dharma-Sūtra[68] and Aṅgiras may be looked upon as inferior to Brahmacarya since the rewards of Sahamaraṇa would equally be inferior to those of Brahmacarya. As against this an extreme view of Aṅgiras may be cited ' for all women where there is no other duty except falling into the funeral pyre, 'when the husband dies'. The Śuddhitattva however appears to have approved this extreme or sweeping statement by way of landing Sahamaraṇa. Several texts have been cited by Aparārka from Paiṭhīnasi, Aṅgiras, Vyāghrapad etc., which apparently forbid self immolation by Brāhmaṇa widows. The authors of digests seem to have explained away these passages by saying that they only prohibit self-immolation by a Brāhmaṇa widow on a funeral pyre different from that of the husband i.e., a Brāhmaṇa widow can burn herself only on the funeral pyre of her husband and if the body of the husband has been cremated elsewhere in foreign land, his widow cannot on hearing of his death burn herself later. They seem to have relied on the text of uśanas that a Brāhmaṇa widow should not follow her husband on a separate funeral pyre. The Veda-Vyāsa-Smṛti[69] says that a Brāhmaṇa wife should enter fire, clasping the dead body of her husband. If she lives (after her husband) she should give up adorning her hair and emaciate her body by austerities.

The Strīparva of the Mahābhārata[70] on the other hand describes how Kṛpi, the wife of Droṇa, the Brāhmaṇa commander-in-chief of the Kauravas, appeared with dishevelled hair on the battlefield on the death of her husband, but does not say that she would burn herself.

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68 25.14.

69 II.53.

70 23.34 ff.

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It may therefore be concluded that the burning of Brāhmaṇa widows began much later than the time when Satī first came into vogue with Kṣatriya widows.

In the Mudrā-Rākṣasa[71] we find a corroborative evidence where the custom of anumaraṇa is mentioned to have been followed by the Kṣatriyas. In spite of what Kālidās and Bāṇa have said against the custom of anumaraṇa, women probably used to take recourse to this expedient practice in full belief that to follow the husband in his death is only a duty of a true wife.

Satī rite might be of two types. The burning of a widow on the pyre of her dead husband may be called Sahamaraṇa or Sahagamaṇa. The term anumaraṇa however indicates that after the husband has been cremated elsewhere and where she learns of his death, the widow takes a resolve to burn herself along with the husband's ashes or his pādukās (sandals). Aparārka and Madanapārijāta[72] state that if the dying wife does not get any memento of her dead husband she may even burn herself without any such memento.

It appears that anumaraṇa may be taken as the same as ātmānugraha as it is revealed from the text (p. 182) that the wife could refrain from immolating herself if she had a child. But instances may be traced where even this eventuality would not carry any weight. This custom does not however appear as compulsory for all. The hero

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71 Act. VII.

72 p. 198.

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Malayketu's mother did not immolate herself but continued to live even after the death of her husband.

The Purāṇas seem to have referred to a few cases of Satī. This shows that by about 400 A.D. when the Purāṇas were given their present form, the custom had come into general vogue. It appears interesting to note that some of the cases of Satī referred to by the Purāṇas may be the imaginary creations of their authors and were probably against earlier tradition. While the Uttara Kāṇḍa[73] of the Mahābhārata seems to be unaware of any Yādava widows having burnt themselves on their husband's funeral pyre ; according to the Padmapurāṇa all of them became satīs. Yet a very large number of the widows who figure in the Purāṇas appear to have survived their husbands.

The earliest historical instance of Satī may be traced from the account of Diodorus Siculus[74] who beside supplying us the reason of introducing Satī custom in India, although his contention does not appear to have been corroborated by any Indian texts, gives us an incident where both the two wives of the Hindu general Keteus had expressed their desire to embrace death at the death of the fallen general. But as the elder one was with child, the younger one alone was allowed to carry out her wish. The account given by Diadorus however bears similarity to similar account found in the Harṣa-Carita of Bāṇa.[75] The observation appears to be in conformity with what has been prescribed by the Smṛtis and in Brhan Nāradiya Purāṇa in the cases of all widows. 'Wives who have

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73 Ch. 279.

74 Diod. XIX. 34.

75 Harṣa Carita trans. Cowell and Thomas, pp.150 f.

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child of tender age who may be found pregrant, who have not attained puberty and who appear to be in their monthly course do not mount the funeral pyre of their husband'. Bṛhaspati appears to be of the same view as that of the Brhaṁ Nāradiya Purāṇa.[76]

Strabo[77] informs that the customs was prevalent among the Catheans of the Panjab. He however points out that an exception was made for women with children or with a family. The practice however appear to be still confined to a few Kṣatriya groups for it was not noticed by the Greek writers in connection with other fighting tribes which stubbornly opposed Alexander and many members of which died while fighting the invader.

It may not be unreasonable to think that the testimony of Greek writers in support of the prevalence of Satī related only to the Panjab and especially to such tribes in that region as the Cathians who had not assimilated Vedic culture. The custom it seems was gradually coming into existence in the early centuries of the Christian era. Hence we get stray references to it in the later portions of the Rāmāyaṇa and the Mahābhārata and in the present version of some of the purāṇas.

The custom however was not yet regarded as a religious duty. Viṣnu[78] himself does not recommend it, he merely mentions it. He had been one of the earliest writers to recognise the widow as an heir to her husband. He allows her even to remarry after the death of her husband.

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76 Kane, History of Dharmaśāstra, Vol.II, Part I, p. 653.

77 Majumdar, Classical Accounts of India, p. 259.

78 17.43.

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The custom of Satī began to be gradually popular from about C.400 A.D. It seems that the custom of Satī was already known to Vātsyāna, Kālidāsa and Śudraka since Vātsyāna[79] refers to clever dancing girls who gained ascendancy over the minds of lovers by swearing that they would allow themselves to be burnt on their funeral pyres. In the urūbhaṅga of Bhāsa, the dramatist appears to have differed from the Mahābhārata in holding that Uttarā, Duśśalā and Pauravī died on the funeral pyres of their husbands, Abhimanyu, Jayadratha and Duryodhana respectively. The fact of the Queen Pauravī of Duryodhana expressing a desire to follow her lord to the funeral pyre appears to have been incidentally mentioned. It cannot sufficiently warrant the conclusion as to the prevalence of the custom of Satī or the burning of the widow on the pyre of her husband in those days or the contrary. In the Kumārasambhava[80] Rati appears to have decided to burn herself after her husband's death ; it was a heavenly voice that seems to have restrained her from her determination. In the Mṛcchakaṭika,[81] the wife of Cārudatta resolves also to burn herself before the arrival of the expected news of her husband's execution. In the Gāthāsaptaśatī[82] (Nirn. ed.) there is a reference to a woman being decked for anumaraṇa. The Kāmasūtra[83] of Vātsayāna also speaks about anumaraṇa. Varahamiṛa the celebrated author[84] of the Bṛhat Saṃitā appears to have admired the women for their courage in being burnt with their husbands.

The Harṣacarita[85] describes how Yaśomati, the chief queen of king Prabhākaravardhana and mother of Harṣa consigned herself to fire when the king was dying. But this does not seem to be a case of Satī

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79 VI.2.32. 80 Canto IV.34. 81 Act. X. 82 VII.33 1
83 VI.3.32. 84 Kane, History of Dharmaśāstra, Vol.II,Part II,p.579-80.
85 Ucchvāsa 2.

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proper as she burnt herself even before her husband's death. In another passage of the Harṣacarita[86] the moon-lotuses are said to be laughing like a woman intent on anumaraṇa and appears to be decked with ear ornaments and garlands on her head. Bāṇa in his Kādambarī in a most eloquent and well-reasoned passage condemns anumaraṇa. The Bhāgavata-purāṇa[87] speaks of Gāndhārī burning herself on the death of her husband Dhṛtarāṣṭra. The Rājataraṅgiṇi[88] cites several examples of Satī.

Mention of Satī may be found to occur in numerous epigraphic records found from different parts of the country. The earliest appears to be the one dated in 191 of the Gupta Era i.e., 510 A.D. found at Eran in Madhyapradesh.[89] The Posthumous stone Inscription of Goparāja, a vassal of the Gupta Emperor Budhagupta states that his wife has accompanied him on the funeral pyre when he was killed in battle. In a Nepal Inscription dated 705A.D.[90] it has been revealed that a Nepalese Queen named Rājyavatī, widow of Dharmadeva had made her son Mahādeva to take up the reins of government so that she may follow her husband. The practice of Jauhar performed by the Rājput ladies of Mediaeval age in order to save themselves from unspeakable atrocities at the hands of the victorious Moslems are well known.

Strabo's observation as to the custom of Satī which was common in the country of the Catheans may provides a very interesting information. The land of the Catheans has been identified with the Panjab, the natives

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86 V, in the description of night. 87 I. 13.57.

88 VI.107, 195 ; VII, 103, 478.

89 Fleet - Gupta Inscription (C.I.I. Vol.III), p. 91.

90 Indian Antiquary, Vol. IX, p. 164.

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of which area appear to have been great warriors and fighting personages. It seems that the customs of SatI was prevalent among the such warlike tribes from very early days. Fighting races seem to be very punctilious about the loyalty and fidelity of their women and even preferred to kill them rather than take the risk of their going astray after their husband's death. There was also a general belief already referred to above that a warrior would require in the next world all the things that were in use by them in this world. It was therefore considered reasonable to bury his clothes, bows, arrows as offerings to the departed warrior. This belief also entailed the services of the wife. The wife has been considered as dear possession which the warrior would very much like to have as companion in the next world.

This custom would also render the life of a patriarch safe. It practically eleminated all possibility of any one among his numerous mutually envious wives intriguing against his life. All such wives knew that even if successful in killing the husband, they would not have any chance to survive. A binding usage of wives immolating themselves in the funeral pyre of the husband would thus ensure safety of the husband from foul play from their wives. The observation stressing upon this view made by the classical writers, however, has no confirmation from Indian tradition. It might have been a view which grew among such writers on their own thinking and imagination though the view may be held as quite worthy of consideration. It may further, be deducted that the classical writers did not witness SatI rite as a widespread phenomena. The practice as observed by them seem to have been restricted to some particular areas and among people of fighting profession i.e.,

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the Kṣatriya. As Indian traditions would establish, the practice was not known to the Vedic and post-Vedic traditions. Buddhist and Jaina tradition are also completely silent about this custom. Indian texts begin to notice the custom from about the post Christian era. Religious texts of late date, not earlier than the Christian era bear direction for or approval of the Satī rite.

Evidently the classical writers could not witness the practice to have been a widespread one. Probably the practice was just gaining currency among the Brāhmaṇical people of the country but it was still restricted to the warrior caste. The custom had not acquired any great sanctity as some law books of the Brāhmaṇical Hindus would indicate. But the practice undoubtedly had made its head way in the society and the classical writers had taken note of the custom with avowed amazement.

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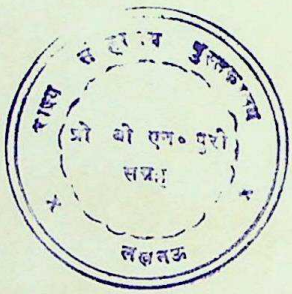

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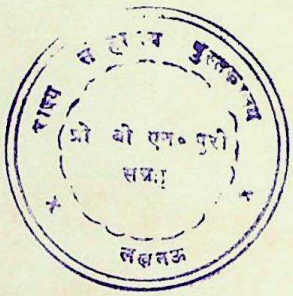

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